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ABSTRACT

The state of New Mexico passed legislation in 2000 to phase-in voluntary full-day kindergarten (FDK) classes for all 5-year-olds. This case study traces the evolution and development of New Mexico's FDK program. The case study highlights several elements and strategies of the FDK campaign, including framing FDK as a cost-effective educational reform, the strategic crafting of legislation, identification of funding sources, and attracting support and involvement of influential stakeholders. The case study also describes how, with abundant experience at confronting the political and budgetary realities that state policymakers face, the FDK supporters effectively defined the problem of inadequate student achievement, offered FDK as a policy solution, built political pressure and momentum, provided policymakers with funding solutions and implementation strategies, and monitored and influenced implementation after passage of the legislation. The case study notes that while far from a universal blueprint for state-level education policy reform, the advocacy campaign for FDK in New Mexico nonetheless offers lessons that can inform policymaking in other states, and lists several lessons learned about effective legislative advocacy, including the following: (1) successful advocacy campaigns may not require substantial resources or the support of broad coalitions; (2) child and family advocacy organizations should strive for bipartisan, issue-driven alliances and support; and (3) advocates should provide policymakers with funding solutions and implementation strategies. Lessons learned about FDK as an education reform are also detailed including the following: (1) policymakers are more likely to embrace FDK when it is framed as enhancing children's educational success; (2) FDK can be funded without substantial increase in tax revenues; and (3) legislation is only the first step--implementation matters. (Contains 114 references.) (HTH)

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Anthony Raden

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ACHIEVING FULL-DAY KINDERGARTEN IN NEW MEXICO: A CASE STUDY

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TABLE OF CONTENTS

4 Executive Summary

9 How Full-Day Kindegarten Emerged in New Mexico as a Policy Issue

  - 10 A New Governor, New Educational Priorities
  - 11 An Issue Fades and Resurfaces

15 Think New Mexico and the Successful Campaign for Full-Day Kindergarten

  - 15 A State of Beauty, Diversity, and Many Challenges
  - 17 The Establishment of a State-Based, "Results-Oriented" Advocacy Organization
  - 20 The Campaign for Full-Day Kindergarten
  - 31 Legislative Politics

37 Early Implementation of Full-Day Kindergarten

  - 37 Establishing a New Educational Program
  - 37 Passing Legislation Is Not Enough
  - 39 Assessing Early Results

42 Achieving Full-Day Kindergarten: Reflections on the Evolution of a Policy Innovation

  - 42 A Window Opens: The Context for Reform
  - 43 A New, Politically Savvy Organization Takes on the Issue
  - 45 A Reluctant Governor Yields
  - 46 The Governor's Reflections

48 Conclusion: Effective Advocacy as a Catalyst for Policy Change

  - 48 Political Savvy, Legislative Knowledge, and Influential Connections
  - 50 Effective Advocacy Within a Citizen Legislature
  - 51 Can This Advocacy Experience Be Adapted to Other States?

53 Lessons for Other States

  - 53 Lessons Learned: Five Elements of Effective Legislative Advocacy
  - 55 Five Lessons Learned: Full-Day Kindergarten as an Education Reform

59 References

67 Acknowledgements

68 Appendices

EXECUTIVE SUMMARY

New Mexico, a state rarely in the forefront of educational innovation, passed legislation in 2000 to phase-in voluntary full-day kindergarten (FDK) classes for all five-year-olds.[1] While over half of the nation's kindergartners attended FDK that year, in the vast majority of states, full-day classes were offered inconsistently on a district-by-district basis; only eight states, all of which are located in the South or Southeast, provided state-wide access. New Mexico became the first state outside of those regions to establish universal access to full-day kindergarten.

This case study traces the evolution and development of New Mexico's full-day kindergarten program, a policy option that emerged on the state's political landscape in the early 1990s, but failed for the better part of the decade to generate sufficient backing. The program's legislative history reveals the complex processes and factors that determine whether ideas are translated into law. Many individuals, organizations and institutions contributed to the state's eventual decision to finance full-day classes. But the successful passage of the legislation ultimately offers a powerful example of the ways in which savvy advocacy can influence education reform and state-level policymaking.

Effective Advocacy as a Catalyst for Policy Change

In 2000, the economic and political conditions in New Mexico were ripe for education reform. With the state experiencing a significant budgetary surplus and New Mexico's children ranking at or near the bottom on national rankings of academic achievement, several reform strategies and educational initiatives competed for legislative support and funding. The state opted to expand the kindergarten day, in large part, because a newly-formed state-based advocacy organization (Think New Mexico) spearheaded an effective advocacy campaign that helped to persuade reluctant policymakers to pass an educational reform that had been repeatedly rejected. Full-day kindergarten advocates read the state's political milieu astutely and calculated that a strategically mounted free media campaign and legislative push by a nonpartisan organization could generate the political momentum and pressure needed to transform a promising idea into law.

Small, non-profit child advocacy organizations typically lack the institutional capacity and infrastructure to lobby effectively for legislation. Advocates in New Mexico compensated for limited resources and minimal grassroots organizational strength by reaching out to where power and influence are concentrated. In a state with a non-professional legislature and a relatively small state-level bureaucracy, advocates leveraged their connections and forged relationships with prominent stakeholders in the business community, the media, and the upper reaches of government who could inform and influence public attitudes and the policymaking process.

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[1] Full-day kindergarten refers to a full five-and-a-half hour school day (typically 8:00 a.m.-2:30 p.m. or 9:00 a.m.-3:30 p.m. for a total of 990 hours per year).

The campaign for full-day kindergarten (FDK) included the following elements and strategies:

- **Framing FDK as a cost-efficient and effective educational reform.**
- **The strategic selection of legislative sponsors.**
- **The strategic crafting of legislation.**
- **Generating free media coverage.**
- **The identification of funding sources.**
- **Attracting the support and involvement of New Mexico's business community.**
- **Attracting the support and involvement of influential stakeholders.**

Full-day kindergarten advocates overcame considerable political obstacles by marshalling persuasive arguments, generating political pressure and skillfully using insider tactics. They pushed political pressure points, compromising at times, while countering legislative impediments without demonizing opponents and eliciting partisan opposition that could thwart the passage of the legislation. With abundant experience at confronting the political and budgetary realities that state policymakers face, full-day kindergarten supporters effectively:

- **Defined a problem (inadequate student achievement).**
- **Offered a policy solution (full-day kindergarten).**
- **Built political pressure and momentum (through media coverage and endorsements and the support of influential individuals and constituencies).**
- **Provided policymakers with funding solutions and implementation strategies (recalculating projected costs, identifying funding sources).**
- **Monitored and influenced implementation after passage of the legislation (attending to the selection of schools; offering teacher training opportunities).**

Lessons for Other States

With a burgeoning body of research indicating positive effects of full-day kindergarten on children's learning, achievement and motivation,[2] states are increasingly considering an extension of the kindergarten day as a viable option to enhance children's early learning opportunities. On many dimensions – from its demographic composition to its political culture and legislative structure – New Mexico differs from much of the country. Profound variations in state contexts make it hard to predict what advocacy strategies will work effectively across the country; many states and cities will require highly targeted, locally-adapted approaches. While far from a universal blueprint for state-level education policy reform, the advocacy campaign for FDK in New Mexico nonetheless offers lessons that can inform child advocacy and policymaking in other states. Lessons highlighted in this case study include the following:

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[2] For a comprehensive review of research on kindergarten, see Sara Vecchiotti (2001), "Kindergarten: The Overlooked School Year." New York: The Foundation for Child Development.

Lessons Learned: Five Elements of Effective Legislative Advocacy

1) **Successful advocacy campaigns – at least in states without a large, professionally staffed legislature – may not require substantial resources or the support of broad coalitions.** For some policy proposals that do not elicit powerful political opposition, advocates can compensate for limited organizational resources through: a) the active endorsement and involvement of a limited number of influential, well-connected stakeholders and opinion leaders; and b) the strategic use of the free media to build public support, political pressure and legislative momentum.

2) **Child and family advocacy organizations should strive for bipartisan, issue-driven alliances and support.** Advocates should not lose sight of a basic reality: many children's issues cut across ideology, and politicians with divergent political priorities may endorse the same policy option, even if for different political or philosophical reasons. Instead of merely paying lip-service to bipartisanship or nonpartisanship, without sacrificing core principles, child advocates should make a concerted effort to reach out to potential supporters and allies across the political and ideological spectrum.

3) **Advocates should provide policymakers with funding solutions and implementation strategies.** During seven years and several failed attempts, financing remained the major obstacle to an expansion of kindergarten in New Mexico. The state's establishment of FDK demonstrates that by providing policymakers with realistic funding strategies, advocates can enhance the chances that their legislative proposals will succeed.

4) **Advocates should seek the endorsement and active involvement of leaders in the state's business community.** All informed observers concur that the endorsement and lobbying of New Mexico's business community contributed significantly to the passage of the FDK legislation. Advocates must grasp a fundamental political reality: A well-timed call from a prominent CEO can be more influential than thousands of signatures on a petition.

5) **Advocates should select legislative sponsors strategically.** All too often, advocates select familiar legislative allies to sponsor their chosen policy proposals. Rather than targeting legislators with a long history of advocacy on behalf of children or a well-earned reputation for educational expertise, full-day kindergarten supporters in New Mexico intentionally approached two unlikely sponsors – a moderate Republican and a moderate Democrat – whose involvement appealed to individuals and constituencies less likely to support the proposal.

Five Lessons Learned: Full-Day Kindergarten as an Education Reform

1) **Full-day kindergarten can be a popular state-level policy option to enhance early education.** In New Mexico, FDK evolved into a proposal that had an almost intrinsic educational and political appeal. Given the increasing evidence of the educational benefits of full-day kindergarten classrooms and the sweeping implementation of high-stakes testing and accountability requirements in grades K-3, for states concerned about educational achievement in general, or early learning and early literacy in particular, an expansion of the kindergarten school day may constitute an effective reform strategy with minimal political risk.

Early education policies frequently spark intense political or ideological opposition from individuals and constituencies that view a substantial state role in child care or preschool as an inappropriate governmental intrusion into family life. In recent decades, as there has been a greater acceptance of working mothers and an increased emphasis on the importance of children's early learning, the public has come to support the placement of four- and five-year-olds in educationally enriching out-of-home environments. Moreover, because public schools are broadly viewed as the proper domain for five-year-olds, child care and Head Start providers are not likely to oppose an expansion of kindergarten. In states where enduring political obstacles preclude the establishment of a far-reaching pre-k program, full-day kindergarten may be a pragmatic and achievable reform to enhance young children's learning opportunities.

2) **Policymakers are more likely to embrace full-day kindergarten when it is framed as enhancing children's educational success.** In recent years, communication experts and social policy analysts have urged child advocates in general, and early education advocates in particular, to become more sophisticated and savvy in their framing of policies. While it is difficult to pinpoint what arguments had the most resonance with New Mexico citizens and policymakers, FDK supporters stressed first and foremost the educational gains that would be realized by children, not the benefits that would accrue to parents.

   However, full-day kindergarten is likely to compete with other educational policies and priorities for legislative support and resources. The most enduring obstacles to passage of full-day kindergarten in New Mexico were not legislators hostile to the public schools or ideologically opposed to early education, but policymakers and constituencies supportive of other educational priorities, programs and reforms.

3) **Full-Day Kindergarten can be funded without a substantial increase in tax revenues.** Given that full-day kindergarten involves an expansion within an existing and accepted system, most states will have the option of establishing FDK without large appropriations for increases in operational costs or capital outlay. For states seeking to enhance early learning and early literacy, FDK may be an affordable alternative to costlier early education options, such as universal prekindergarten.

4) **Full-day kindergarten must be universal and voluntary to attract broad, bipartisan support.** Although New Mexico is initially phasing-in FDK to schools with a high proportion of "at-risk" children, from its conception the state designed the program to be universal and voluntary. All informed observers concur that the policy generated and sustained popular and political support by: a) respecting parental choice, and b) providing a universal benefit for low-income and middle-income families. The legislation would not have succeeded if FDK participation had been mandated or limited to select constituencies.

5) **Legislation is only the first step; implementation matters.** All too often, advocates move on to a new issue immediately after securing a legislative victory. To assure that legislation is implemented as intended, advocates must sustain their advocacy (or set up monitoring structures) as a policy is implementated.

New Mexico Full-Day Kindergarten Program

Goal	To provide early childhood education programs that promote literacy for kindergarten children in public schools.
Program History	In 2000, the New Mexico Legislature initiated voluntary, full-day kindergarten to be implemented over a five-year period. Program established during the 2000-01 school year.
Population Served	Children who are New Mexico residents and five years old on August 31. No income requirements. Student participation is voluntary.
Hours of Operation	Minimum is 5.5 hours/day, 990 hours per year; 5 days/week; 180 days/year.
No. of Children Served	Approximately 13,330 (2002-03)
% of Children Reached	During the 2002-03 school year, approximately 60% of kindergarten students in the public schools attend full-day classes. By the 2004-05 school year, all of New Mexico's public kindergarten classes are projected to be full-day.
Eligible Kindergarten Providers	Public schools. During the program's five-year phase-in (2000-01 to 2004-05), priority given to school districts that serve children in schools with the highest proportion of students-at-risk for educational failure. (At-risk determined by rates of poverty, English language proficiency and student/parental mobility).
Administrative Auspices	New Mexico State Department of Education
Program Standards	*Ratios*: Class size not to exceed 20 students. If class exceeds 15 students, program is eligible for a teaching assistant. *Staff Qualifications*: Teachers must have a college degree and be licensed in early childhood education. *Educational Program*: Funded programs must include a comprehensive and structured early literacy program based on reading research. No specific curriculum models are mandated.
Funds	Funding based on the state school equity formula. Average cost per child: approximately $4,170 (2002-03). Total state expenditure for full-day kindergarten (2002-03): $49.3 million, with approximately $25.5 million appropriated to expand from half-day to full-day kindergarten classes. During the first two years of the phase-in, program funded solely with state funds. For the 2002-03 school year, approximately 11,830 full-day kindergarten students (89%) funded by the state. Funding for an additional estimated 1,500 full-day kindergarten students (11%) appropriated from federal TANF funds.
Assessment of Performance	The State Department of Education requires schools to conduct age-appropriate pre- and post-K assessments to determine program effectiveness. Schools that fail to meet benchmarks may lose full-day kindergarten funding for the following school year.

Adapted from: 1) "Implementation of Full-Day Kindergarten in New Mexico: Enrollment and Program Costs Generated " 10/01/02. New Mexico State Department of Education, 10/02. (See Appendix A); 2) "Reading and Literacy in New Mexico: A Report to the Legislative Education Study Committee and New Mexico State Board of Education on Year One Full-Day Kindergarten Implementation." New Mexico State Department of Education, 8/01.

HOW FULL-DAY KINDERGARTEN EMERGED IN NEW MEXICO AS A POLICY ISSUE

Full-day kindergarten (FDK)[3] emerged as a policy issue on New Mexico's political landscape during the early 1990s. Although the state's legislature had first funded kindergarten programs in 1977, and made them mandatory in 1986[4], the vast majority of students (about 85%) attended kindergarten for only two-and-a-half hours per day. At a time when states across the country were striving to enhance children's early learning opportunities – and when New Mexico's children ranked near the bottom of national rankings of student achievement – the state was lagging behind in the provision of early childhood education for four- and five-year-olds.[5]

In 1993, Mike Gladden, a school superintendent from a southern region of the state, became increasingly concerned about the preparation and development of the students from his ethnically-diverse and predominantly low-income district. He persuaded his state senator, Peter Campos, that the state should take steps to expand the kindergarten day. In the legislature that year, Senator Campos introduced "Senate Memorial 77", which was co-written by Gladden and requested a study of the feasibility of a state-wide full-day kindergarten program. The Memorial statement noted that the state's funding patterns, budgetary constraints, and lack of available capital outlay precluded most school districts from providing full-day programs. It outlined ten rationales for the feasibility study, including the "alarming" number of students entering kindergarten programs "lacking in language and learning pattern development" and the enhanced opportunity of full-day programs to meet the educational, social-emotional and nutritional needs of children, as well as the child care needs of "rapidly changing family structures." The Senate passed the Memorial and resolved that the state's Legislative Education Study Committee (LESC) work in cooperation with the State Department of Education to study the issue and provide recommendations to the legislature for the 1994 session.

In the summer of 1993, New Mexico established a Full-Day Kindergarten Task Force comprised of kindergarten teachers, principals, superintendents, early childhood coordinators and specialists, and education analysts from the state. The task force reviewed the existing early education literature and commissioned a survey of parents', kindergarten teachers' and school administrators' attitudes about the expansion of the kindergarten day.[6] The surveys indicated that the majority of responding teachers (62%) and parents (56%) preferred a full-day schedule.[7] Telephone interviews with administrators from 23 schools already implementing full-day programs found uniform support for the full school day. The Task Force also calculated that a four-year phase-in to all children would cost approximately $32 million in recurring operational and transportation costs, and an additional $20.5 – $52.5 million in capital outlay expenditures for extra classroom space. Based on the survey results, promising findings from an evaluation that compared children in half-day and full-day kindergarten classes at one Albuquerque elementary school[8], and a research review that emphasized several advantages of a developmentally-appropriate full-day program, the Task Force recommended that the state "introduce and pass legislation to adjust the Public School Funding Formula to provide the option for districts to fund full-day kindergarten."

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[3] Full-day kindergarten refers to a full five-and-a-half hour school day or 990 hours per year. New Mexico House of Representatives (2000). "New Mexico House Bill 211: Making Appropriation to Fund Full-Day Kindergarten." 44th Legislature, Paul Taylor Sponsor.

[4] The Public School Reform Act of 1986 mandated two-and-a-half hours per day or 450 hours of instruction per year.

[5] In 1991, New Mexico established the "Child Development Program," which funds early care and education services for children birth to age five. By 1998, the small program had a budget of $1.3 million and served 1,333 children. In 1999, New Mexico appropriated $5 million to begin supplementing Head Start in the state. Judith Paiz and Jolene Maes (2002). "Partners in Change: How New Mexico Prepares for the Children of the 21st Century," In Polly Turner (ed), *LaRistra: New Mexico's Comprehensive Professional Development System in Early Care, Education and Family Support*. University of New Mexico: Albuquerque; Helen Blank and Nicole Poersch (2000), "State Developments in Child Care and Early Education: 1999." Washington, D.C.: Children's Defense Fund.

[6] Sharon Ball (1993), "SM 77: Full-Day Kindergarten." State of New Mexico Legislative Education Study Committee.

In response to the Task Force recommendations, a bill was introduced during the 1994 legislative session to appropriate $12 million to implement full-day kindergarten in certain school districts in the state.[9] According to Sharon Ball, the analyst for the State's Legislative Education Study Committee who wrote the Task Force report, despite the efforts of sympathetic legislators and Task Force Members to generate support and a grassroots movement, the timing for passage was not right. Concerns about financing and equity[10] expressed by some influential legislators, as well as opposition mounted by conservative parents opposed to state intervention in family life, contributed to the bill failing at the committee level.

A New Governor, New Educational Priorities

The gubernatorial campaign of 1994 would dramatically alter the dynamics of New Mexico politics. Gary Johnson, a little-known, wealthy 41-year-old owner of one of New Mexico's most successful construction companies, narrowly defeated two career politicians to win the Republican nomination for governor. With no government experience, Johnson faced the three-term incumbent Governor, 70-year-old Democrat Bruce King. Casting himself as an outsider with fresh ideas who would hold the line on wasteful governmental growth, Johnson ran on a decidedly conservative platform that stressed tax cuts, job creation, government efficiency, and tough-on crime provisions.[11] Johnson's education proposals emphasized eliminating educational bureaucracy and transferring decision-making from the state to local schools and parents. A strong proponent of publicly-funded vouchers, Johnson argued that competition and true parental choice were necessary to cure the state's failing schools. Despite his stated reluctance to increase government spending, Johnson, wary of alienating the parents of young children, agreed with King and supported an expansion of kindergarten.[12]

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[7] Approximately 30% of parents of kindergarten students completed the survey. The response rate for teachers was 60%.

[8] Sandra Warrick (1993), "A Three-Year Study On the Effectiveness of Full-Day Kindergarten at Lowell Elementary School, Albuquerque, New Mexico," Unpublished report.

[9] Greg Toppo, "Funding Full-Day Kindergarten Takes Creativity," *The Santa Fe New Mexican*, 6/22/97, p. B1.

[10] Some Democrats who represented property-poor districts were concerned that funding would be inadequate to provide capital outlay, which would hinder the provision of classes for low-income children.

[11] He proposed changes in the law to allow children as young as nine who had committed severe crimes to be sentenced as adults. "Gary Johnson on the Issues," *The Santa Fe New Mexican*, 5/30/94, p. A4.

[12] "What Candidates are Proposing," *The Santa Fe New Mexican*, 10/30/94, p. A4.

On a day on which Republicans gained control of 15 state legislative chambers and 30 governorships (and the U.S. House of Representatives for the first time in forty years), an anti-incumbent, anti-Democrat backlash helped to sweep Johnson into office. "Not in at least thirty years have New Mexico voters known so little about the man about to become their governor," *The Santa Fe New Mexican* editorialized on the day after Johnson's surprising victory.[13]

Following Johnson's election, with the state experiencing a revenue surplus, pressures to implement full-day kindergarten continued to simmer. "At this point, it's just not affordable," Johnson explained in January 1995 when he introduced his first legislative package, which notably did not include funds for full-day kindergarten. "That would be something I would like to implement in coming years."[14] Seizing on the Governor's refusal to follow-through on the campaign promise to expand kindergarten, some Democrats on the House Education Committee rebuked First Lady Dee Johnson later that month when she testified on behalf of her husband's legislative agenda. She explained that the Governor's budgetary priorities that year would be on tax cuts of $80 million and crime reduction through building more prisons.

Within a few months in office, it became abundantly clear that Johnson's victory had ushered in a strange new era of partisan fighting and political stalemate. Long considered a one-party (Democrat) dominated state, changing demographics and patterns of party affiliation had rendered New Mexico highly partisan and politically competitive. Armed with the line-item veto, Governor Johnson infuriated the legislature by vetoing over 200 bills – 47% of the bills passed by the legislature – during his first year in office, a startlingly high rejection rate that set a record for a New Mexico governor.[15] Johnson and the Democratically-controlled legislature had entered into a pattern of confrontation, obstruction and mutual thwarting of agendas that would endure throughout his tenure.

An Issue Fades and Resurfaces

There was little legislative movement around full-day kindergarten during the next two-and-a-half years (1995-1997), as the combative governor continued to battle the legislature at almost every turn. Johnson chose not to push for the expansion; Democrats in the legislature may have also been reluctant to press for an issue that the Governor had once supported. Nonetheless, without a legislative mandate or additional state funds, a small number of school districts in the state opted to use federal education dollars (typically Chapter 1 funds) to expand kindergarten classes to a full school day.

The Santa Fe New Mexican embraced the issue of full-day kindergarten after a new bill died in committee during the 1997 legislative session. While praising elementary schools that creatively used resources to provide a full-day schedule, the paper condemned legislators in an editorial for failing to support an education reform that would increase student achievement and aid working parents. "In an education backwater like ours, youngsters need all the help they can get," the paper wrote.[16]

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[13] David Roybal, "Johnson Now Must Fill Blanks," *The Santa Fe New Mexican*, 11/9/94, p. A5.
[14] Mark Oswald, "Curious Quips From Week One," *The Santa Fe New Mexican*, 1/23/95, p. B1.
[15] "Rookie Governor Rattles Legislative Veterans," *The Santa Fe New Mexican*, 4/15/95, p. A7.
[16] "Advancing the Cause of All-Day Kindergarten," *The Santa Fe New Mexican*, 6/24/97, p. A-5.

In August 1997, educators spoke before the State's Legislative Finance Committee about the benefits of full-day kindergarten and efforts in other states to expand the kindergarten day. The New Mexico Department of Education provided an updated price tag for expansion: full-day kindergarten would require the appropriation of approximately $103 million, with $38 million targeted for enhanced teacher salaries, $65 million for facility expansion (additional classrooms) and $500,000 for transportation.[17] Confronted by these estimates, the clear consensus of the legislature was that the reform was prohibitively expensive in a state with an overall budget of only $3 billion. "I do fully support full-day kindergarten," one Democratic representative said. "But the bottom line is the bottom line."[18]

In November of that year, the State Board of Education and the State Superintendent of Public Instruction endorsed a new proposal calling for a three-year phase-in of full-day programs across the state. As legislators geared up for the 1998 legislative session, the Legislative Education Study Committee, the bipartisan panel that four years earlier released the report calling for full-day kindergarten, voted 7 to 1 against the new full-day kindergarten proposal. Cost remained the major sticking point, as several legislators balked at the price – especially the $60-65 million earmarked for capital outlay. Some legislators also expressed reservations that went beyond cost. The Committee Chairwoman, Senator Cynthia Nava, explained that she was opposed to the state limiting new early education dollars to full-day kindergarten, when, she believed, there are more effective and equitable ways to enhance early childhood education, such as pre-kindergarten.[19] A few committee members also questioned the appropriateness of a full-day schedule for five-year olds. "Are we going to be paying for kids to sleep?" one skeptical Democratic legislator asked.

The Santa Fe New Mexican responded with a scathing condemnation of the committee: "When the State Legislature's Education Study Committee decided earlier this month not to propose all-day kindergarten, they weren't just derailing the future for thousands of youngsters; those lawmakers were sending a loud, clear message that, in their opinion, education is no big deal. That kind of attitude lies behind New Mexico's next-to-last rankings in so many of America's social statistics."[20] Citing studies that purportedly show that kids in FDK "grow by a year and a half" (compared to half a year for half-day kindergartners) and emphasizing the importance of the expansion for working parents, the paper argued that while the costs are high, "the social costs of failing our five-year-olds will be vastly higher."

Undeterred by the Committee's rejection of the proposal, a Democratic senator introduced new FDK legislation at the start of the 1998 legislative session. The proposal, which called for a three-year phase-in, appeared to gain momentum when the Democratic leadership apparently changed their minds and the bill received the endorsement of the Senate Education Committee.[21] Within days, however, the Senate Finance Committee accepted an amendment that removed FDK funding from the budget. The Democratic leadership opted instead to move forward with an education package that would provide all public school teachers with substantial across-the-board pay raises. With a Republican governor (and Republican legislative minority) uninterested in, and probably antagonistic to the expansion, and a Democratically-controlled legislature opting to prioritize other educational needs, full-day kindergarten was dead for the 1998 session.

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[17] The appropriations for teacher salaries and transportation were projected as annual recurring expenses. The $65 million would be a one-time appropriation for capital expansion.

[18] Gilbert Gallegos, "Cost Is Hurdle To Offering Full-Day Kindergarten," *Albuquerque Tribune*, 8/22/97, p. A9.

[19] Mark Oswald, "Panel Votes Against All-Day Kindergarten," *The Santa Fe New Mexican*, 12/18/97, p. B-1.

[20] "All-Day Kindergarten: An Educational Investment," *The Santa Fe New Mexican*, 12/29/97, p. A-9.

[21] Gilbert Gallegos, "Senate Panel Pulls Kindergarten Funding from Budget, Sends it On," *Albuquerque Tribune*, 2/5/98, p. A7.

The issue resurfaced during the summer and fall of 1998 in the gubernatorial campaign. Although he had few major legislative successes (beyond lowering taxes and building prisons) during a first term marked by contention and stalemate, Johnson, nonetheless, had become a popular leader in the state. With a youthful personality (all New Mexicans know him as a passionate tri-athlete and mountain climber), his innumerable vetoes even had an almost populist appeal for many New Mexicans who saw him as a principled libertarian thwarting a legislature accustomed to expanding government with wasteful and ineffective policies and programs.

Johnson's Democratic opponent, Martin Chavez, the former Mayor of Albuquerque, made full-day kindergarten a cornerstone of his campaign; he promised full-implementation within three years of his election. In debates and candidate forums, Johnson continued to passionately – critics would say stubbornly – champion vouchers and charter schools as the only substantial remedy for the state's failing schools. Now dismissive of state-wide kindergarten expansion, he argued that local school districts – not the state – should decide what educational initiatives to pursue.[22] Johnson also accused Chavez of significantly underestimating the costs of state-wide implementation.[23] Chavez eventually ran television ads accusing the Governor of blocking the kindergarten expansion during his first term.

As the campaign reached the final days, a writer took Chavez to task in the local papers for misstating the reasons for the reform's historical demise.[24] It was undeniably true that Johnson had never earmarked money in his budget recommendations for schools to implement full-day kindergarten. He may have even been working behind the scenes to thwart it. "On some level," said one legislative insider who spoke on condition of anonymity, "(Johnson) sort of told the Republican troops he didn't want to see FDK come to his desk where he would have to veto it." Johnson's possible intransigence, however, was only part of the story. Facing competing budget requests for enhancing education and wary of the costs, the Democratically-controlled legislature had failed to support numerous proposals and bills for FDK, including one pre-dating Johnson's entry into office.

Johnson routed Chavez easily and vowed to make a universal voucher program the major legislative goal of his second term; the upcoming years promised a continuation of competing visions of education reform.

As the 1999 legislative session approached, the Legislative Education Study Committee endorsed a plan that would award funds to local school districts to phase-in early childhood education programs, including FDK (This less-costly, multiple-option approach was selected over a statewide kindergarten expansion program). Despite some friction among Democrats, the legislature eventually passed an education package that included $10.6 million for early education programs. And, as was now customary, the legislature rejected funds for Governor Johnson's voucher program. Claiming that he refused to go along with a continuation of the status quo in education, Johnson drew a line in the sand: He pledged to veto the overall state budget, as well as the education budget, and call the legislature into a special session if they did not pass his voucher-laden school reform package.[25]

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[22] "Candidates Disagree Over Education," *The Albuquerque Tribune*, 10/3/98; Karen Peterson, "Chavez, Johnson Differ in How to Fix Schools," *The Santa Fe New Mexican*, 10/18/98, p. A1.

[23] Chavez used the Department of Education's estimate of $100 million for the first year of implementation and $40 million for subsequent years.

[24] Barry Massey, "Cash Real Roadblock to All-Day Kindergarten," *Albuquerque Tribune*, 10/26/98, p. A3.

Johnson and the legislature hurtled towards what one Democratic legislator referred to as a "high stakes battle of wills." At the end of the 60-Day session, the Governor vetoed close to one-third of the 449 measures passed by the legislature – including the $3.3 billion general state budget and $1.6 billion education spending plan. "It is obvious the Governor has now decided to put the entire apparatus of our state government at risk because the legislature refused to fund vouchers," the Democratic Whip in the House groused.[26] With the backing of pro-voucher conservative organizations from within and outside of New Mexico, Johnson gained national attention as he traveled around the state trying to whip-up support for vouchers.[27]

During the Special Session, the Democratic Legislature called Johnson's bluff and roundly defeated his voucher plan. With a government shutdown looming, Johnson conceded defeat. Before he signed off on the state budget, thus assuring that schools would open on time, he used his line-item veto to cut over $21 million, including the allocations earmarked to enhance early childhood education programs.[28]

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[25] Barry Massey, "Little Wiggle Room on Issue of Core Political Beliefs," *Albuquerque Tribune*, 3/22/99, state and regional section.

[26] Barry Massey, "Governor Gearing Up for Special Session, Plans to Offer Voucher Compromise," *Albuquerque Tribune*, 4/9/99.

[27] *The Associated Press*, "Advocacy Group Working With Governor On School Vouchers Program Campaign," 3/31/99; Mark Oswald, "Johnson enlists help in battle for vouchers," *The Santa Fe New Mexican*, 3/31/99, p. B-1. Mark Oswald, "Capitol Chronicle: Voucher Fight has Big-Time Players," *The Santa Fe New Mexican*, 4/3/99, p. B1. Tim Archuleta, "Governor to hit road on vouchers tour," *Albuquerque Tribune*, 4/20/99, p. A1. During this period, the influential British magazine *The Economist* labeled Johnson "America's Boldest Governor." "America's Boldest Governor," *The Economist*, 4/17/99.

[28] "I took it on the chin in this special session," Johnson said at a news conference. "And because I take it on the chin, I suggest that citizens took it on the chin." Barry Massey, "Johnson Cuts $21 Million From Budget Package, Legislature Adjourns," *The Associated Press*, 5/14/99, state and regional section.

THINK NEW MEXICO AND THE SUCCESSFUL CAMPAIGN FOR FULL-DAY KINDERGARTEN

A State of Beauty, Diversity, and Many Challenges

A place of abundant beauty and rich indigenous culture, New Mexico may be the most racially and ethnically diverse state in the nation. As one of three "Minority Majority" states in which non-Hispanic whites are in the minority (44.7% in the 2000 Census),[29] New Mexico has been in the forefront of an advancing demographic trend.[30] Over 42% of the state's population is of Hispanic or Latino descent, the largest concentration in the country. And with 22 land-based American Indian Tribal Nations, where eight distinct languages are spoken, it is not surprising that New Mexico has the highest proportion of individuals whose first language is other than English in the U.S.[31] So compellingly unique in its culture, geography and people, New Mexico nevertheless signals some of the pressing educational and social challenges with which other states will increasingly grapple.

Despite pockets of wealth and a burgeoning technological and scientific industry, no state has a higher percentage of its population living in poverty. Over 27% of New Mexico's children – the highest rate in the nation – are poor.[32] And the state's youngest children (ages 0-6) face the most difficult economic conditions: 34% live in poverty and 62% are low-income (below 200% of federal poverty line).[33] Indicators of the prevalence of poverty, however, do not fully capture the depth of deprivation in this largely rural state. In addition to ranking among the states highest on measures of inequality, few states have a higher proportion of families living in severe poverty; over half of New Mexico's poor have incomes less than half the federal poverty threshold. New Mexico has the highest proportion of children born to mothers who received late or no prenatal care (10%),[34] and the second highest proportion born to unmarried women (45.1%).[35] The state ranks first in the percentage of children living in phone-less homes (17%),[36] and second in percentage of houses lacking indoor plumbing.[37]

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[29] Hawaii and California are the other "Minority Majority" states. "Non-Hispanic Whites are California Minority," *The New York Times*, 8/31/00, p. A22.

[30] Brad Edmundson, "The Minority Majority in 2001," *American Demographics*, 10/96; U.S. Census Bureau. "2000 Census of Population and Housing: New Mexico," *Profile of General Demographic Characteristics: 2000*. May, 2001; Gary Sandefur, et al. (2001). "An Overview of Racial and Ethnic Demographic Trends" *America Becoming: Racial Trends and Their Consequences*, Volume 1, pp. 40-102. Washington, D.C.: National Academies Press.

[31] New Mexico is the only state with a constitution that mandates two official state languages.

[32] "America's Children: Key National Indicators of Well-Being, 2000." (2001) Federal Interagency Forum on Child and Family Statistics, Washington, DC: U.S. Government Printing Office; KIDS COUNT (2002). *KIDS COUNT Data Book 2002: State Profiles of Child Well-Being*. Baltimore: Annie E. Casey Foundation; "Campaign to Reduce Child Poverty: Policy Briefs 1-3." (2000) Albuquerque: New Mexico Advocates for Children and Families.

[33] Nancy Cauthen, Jane Knitzer & Carol Ripple (2000). *Map and Track: State Initiatives for Young Children and Families: 2000 Edition*. New York: National Center for Children in Poverty. According to the 2000 Census, there are approximately 25,500 five-year-olds in New Mexico.

[34] KIDS COUNT (2002). *KIDS COUNT Data Book 2002: State Profiles of Child Well-Being*. Baltimore: Annie E. Casey Foundation.

[35] *Ibid.*

[36] *Ibid.*

[37] "The State of Our Children," *The Albuquerque Tribune*, 1/31/02.

With its widespread poverty and large concentration of non-English speakers, the state faces profound challenges in improving child well-being and boosting educational outcomes. In 1991, New Mexico established the "Child Development Program," a state-supported initiative that funds communities to develop collaborative programs to provide quality early care and education to young children (0-5) and their families.[38] Two years later, New Mexico became the first state to consolidate services for children within a cabinet-level Children, Youth and Families Department. By 1999, the Child Development Program served 1,900 children. To meet the increasing demand for early learning opportunities, the legislature appropriated $6 million in supplemental funds that year so that Head Start could serve more of the state's children.

In recent years, New Mexico garnered acclaim as a leader in the development of academic accountability benchmarks and standards.[39] The states' children, however, continue to rank near the bottom on numerous measures of educational achievement.[40] On the 2000 National Assessment of Educational Performance (NAEP), for example, only 12% of New Mexico's 4th graders and 13% of 8th graders were proficient in math; on the 1998 NAEP, 22% of 4th graders and 24% of 8th graders were proficient in reading. New Mexico's dropout rate, while improving in recent years, was the 5th highest in the country in 1999.

In a comparative analysis of state-level policies, social programs and funding patterns, New Mexico has been classified as one of ten states that provides "limited" support for low-income children and families.[41] In contrast to the state's low per-capita spending on social programs, New Mexico has a relatively robust non-profit sector. While the state ranks 38th in per capita foundation spending, New Mexico has significantly more philanthropic resources than most other states with similarly high rates of poverty.[42] In 1999, the state had approximately 5,600 registered charitable organizations, 172 of which are private foundations.[43] That year, New Mexico organizations and schools received close to $40 million in foundation grants, much of it from local family and corporate foundations that concentrate grantmaking on in-state projects and institutions.[44]

The Establishment of a State-Based, "Results-Oriented" Advocacy Organization

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[38] Judith Paiz & Jolene Maes. (2002). "Partners in Change: How New Mexico Prepares for the Children of the 21st Century," In Polly Turner (ed), *LaRistra: New Mexico's Comprehensive Professional Development System in Early Care, Education and Family Support.* Albuquerque: University of New Mexico.

[39] Catherine Gewertz, "State Policy Updates: New Mexico." In "Quality Counts 2001: A Better Balance." *Education Week*, Vol. 20, number 17, 1/10/01.

[40] Catherine Gewertz, "State Policy Updates: New Mexico." In "Quality Counts 2002: Building Blocks for Success." *Education Week*, Vol. 21, number 17, 1/10/02.

[41] Nine states were classified as providing less-generous "minimal" support. Marcia Meyers, Janet Gornick & Laura Peck (2001). "Packaging Support for Low-Income Families: Policy Variation across the United States." *Journal of Policy Analysis and Management*, Vol. 20, No. 3, 457-483, 2001.

[42] "Foundation Giving Per Capita and as a Share of Gross State Product, by State, 2000." Table on the Foundation Center website, www.fdncenter.org.

[43] "Active 501(c)(3) Charitable Organizations in New Mexico, Circa 1999." National Center for Charitable Statistics, 6/2001.

[44] "Distribution of Grants Awarded and Grant Dollars Received by State, Circa 1999." (2001) In *Foundation Giving Trends.* New York: The Foundation Center.

In 1987, Fred Nathan, a New Yorker and recent graduate of Northwestern University School of Law, moved to New Mexico to join a private law firm. After serving as the manager of Paul Bardacke's unsuccessful campaign for governor in 1990, Nathan joined Attorney General Tom Udall's staff as the Special Counsel. He spent the next eight years concentrating his efforts on litigation (e.g. lawsuits against the tobacco industry) and advocacy on behalf of legislative proposals. During the legislative session, Nathan worked largely behind the scenes as a political strategist and analyst – crafting legislative strategy, picking sponsors, framing issues and learning the ins and outs of the intricate, polarized world of New Mexico politics. "We had some big victories and big defeats," Nathan says. "But I had a big schooling in how you can get laws passed and how you develop coalitions and work with the media to draw attention to these problems."

After years of legislative experience within state government, Nathan became disillusioned with the bitter partisanship and political maneuvering that permeated the capitol and impeded meaningful policy and reform. "It really wasn't what I had imagined," Nathan says. "The focus was not always on solving problems. Most of it was about jockeying for position – Democrats versus Republicans – and all these deep-seated subterranean rivalries. Solving problems was secondary at best." When Attorney General Udall announced that he would run for Congress in 1998, Nathan felt the time was ripe to make the leap out of government.

With New Mexico mired at the bottom of national rankings on numerous academic and social indicators, Nathan had begun to think about creating a new type of organization that would be designed to focus New Mexico's policymakers on solutions to the state's most intractable problems. In search of a potential model to emulate, Nathan scanned the wide-ranging universe of foundations, think tanks and state-based advocacy organizations across the country. "What I quickly discovered is that, by and large, all of the state-based think tanks in the United States have some type of ideological bent," Nathan recalls. "And to grossly oversimplify it, those on the Right tended to be libertarian and tend to be funded by business groups. Those on the Left tend to be funded by unions….I didn't want to be perceived as Left or Right; I wanted to stay on solutions."

Having watched so many promising policy proposals languish because of legislators' unwillingness to support ideas – even those consistent with their beliefs – championed by political opponents, Nathan understood instinctively that his organization's effectiveness would require avoiding (as much as possible) the taint of partisanship. "We needed to have credibility to get things done," Nathan says. "We needed to be able to say that we work with both Republicans and Democrats, and it is not about giving either party or any particular person an advantage; it is about getting the job done to solve these problems. So, I knew I didn't want the think tank to be perceived as either liberal or conservative."

Nathan's experience, research and analysis lead him to the concept of a "results-oriented think tank" that would be state-based, independent, nonpartisan, and focused on advocacy for solutions to the numerous problems facing the state.[45] But unlike most think tanks that concentrate on generating research and policy recommendations, this organization would work to develop tangible funding solutions and implementation strategies. In July 1998, Nathan put together articles of incorporation and by-laws and applied for 501(c)3 status to develop Think New Mexico (TNM).

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[45] New Mexico has a few other state-level organizations that seek to address educational or social problems, such as New Mexico Advocates for Children (which concentrates on poverty issues) and New Mexico First (which convenes town hall meetings to initiate dialogues on pressing issues). By combining original research and lobbying, Think New Mexico would carve out a specific niche and fill an advocacy void within the state.

Developing a Board of Directors. As he faced the early critical task of creating a Board of Directors, Nathan diverted from the common strategy of targeting recruitment on wealthy elites who could facilitate fund raising. Instead, Nathan envisioned a Board comprised of seasoned elder statesmen and women and leading citizens of the state – Democrats, Republican, Independents[46] – who would provide the fledgling organization with instant credibility, powerful contacts and the potential to reach and influence policymakers. Nathan first signed on former Attorney General Paul Bardacke, a friend from his days in the AG's Office. Roberta Ramo, a prominent Albuquerque attorney and the first woman president of the American Bar Association agreed to join the Board shortly thereafter, as did LaDonna Harris, the President and Founder of Americans for Indian Opportunity and a former Vice Presidential candidate for the Citizen's Party. On the basis of the reputation of this initial nucleus (and their help in recruiting colleagues), within the next couple of months Think New Mexico assembled a distinguished, formidable, bipartisan Board that included Gary Carruthers, the former Republican Governor of New Mexico (1987-1990); Stewart Udall, a former three-term congressman and Secretary of the Interior under Presidents Kennedy and Johnson; Ambassador Frank Ortiz, who served as the U.S. ambassador to several Latin American countries, including Argentina, Guatemala, and Peru; and David Buchholtz, a prominent business lawyer and former Chairman of the State's Association of Commerce and Industry, as well as other influential leaders with experience in marketing, administration, strategic planning and organizational development.

Choosing a First Issue. Think New Mexico held its first Board Meeting early in 1999. With the broad and daunting mission of tackling complicated problems, but with no specified domain in which to focus, the organization faced the immediate challenge of selecting where to start. Early discussions turned towards the state's staggering dropout rate, which had received significant publicity in the local media as ranking among the highest in the nation. Roberta Ramo, who serves on the Board of Civitas, a national non-profit organization involved in early childhood education issues, suggested that the organization consider taking on the cause of full-day kindergarten. "When Fred and I first started talking about the dropout rate," Ramo recalled, "I argued that there were many people working on that, but in a state as poor as ours, what made me crazy was that we weren't really funding early childhood education. I had a strong belief based on my brief reading…that we would do far more to change the educational accomplishment of the children of New Mexico if we focused at the early childhood level."

Governor Carruthers recalled that early education resonated with the Board as a popular first issue to tackle. LaDonna Harris felt that given the state's profound educational and social problems, education reform was the logical place for the new organization to begin. Early education appealed to her, in part, because of the significant role Head Start has traditionally played within American Indian communities. "Our great success in Indian Country is Head Start," said Harris, who lobbied in the 1970s to sustain Head Start funding and programming in Indian communities. "Head Start has really had a major role, because in those areas we can teach our own language and have our culture as part of the program. So, we saw the success of Head Start, and I felt that kindergarten could be the next success."

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[46] Nathan is a registered Independent.

Board members considered, and eventually discarded, the idea of lobbying for state-funded preschool for three- and/or four-year-olds, an education reform increasingly gaining popularity in states across the country.[47] "(State Pre-K) did not seem quite so realistic to us," Ramo recalled. "What we wanted was to get the most help to the kids as quickly as possible. So, since there was kindergarten in some places, and since we by then had the studies that showed what a major difference all-day kindergarten meant in terms of academic achievement, and since many of the schools were ready to deal with children of that age on some level already, that's why as a first go, that's what made sense." Nathan said that TNM calculated that an expansion of kindergarten would be much less likely than state-funded preschool to produce contentious political opposition. "Kindergarten is less threatening to all the establishment – the teachers or the county or whoever," Harris confirmed.

Reviving the push for FDK, which had failed repeatedly throughout the decade, struck Nathan and the Board as the right place for the think tank to start – an issue of clear educational significance that had definable goals and, not insignificantly, was potentially winnable. "It seemed like it might be doable in relationship to the larger educational problems that we have in the state," Harris said. "That's why I thought that as a first step, we should take a small step….If we could have some small victory in this, maybe we could figure out ways to get a larger one." "It made enormous sense to me," Nathan says. " I thought that it would be a long shot, but achievable."

In search of financial backing, Nathan submitted grant proposals to many large national foundations, including several committed to advancing developments in early education; he received a flurry of rejection letters, but no funds. One program officer influential in the funding of early education initiatives responded that full-day kindergarten "was not sexy enough" and that New Mexico as a state was "out of sync with the rest of the country." That summer the organization received a $5,000 start-up grant from a local family foundation.[48] In the following months, Think New Mexico secured additional small grants ranging from $5,000 - $25,000 from other New Mexico foundations.[49] In July, Nathan hired Carol Romero-Wirth, a lawyer with a Masters in Public Policy, as the part-time Assistant Director of Think New Mexico. By September, the organization had raised $80,000, which would cover staff salaries, office space, and all resources required for a public education campaign and lobbying effort. The organization rented a 10 x 15 foot single room in a Victorian house across the street from the state capitol from which it would mount a campaign to establish full-day kindergarten in the state.

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[47] Helen Blank and Nicole Poersch, "State Developments in Child Care and Early Education: 1999." Washington, D.C.: Children's Defense Fund, 2/00; Anthony Raden (1999). "Universal Prekindergarten in Georgia: A Case Study of Georgia's Lottery-Funded Pre-K Program." New York: Foundation for Child Development (Working Paper Series).

[48] The McCune Foundation.

[49] The Azalea Foundation, Frost Foundation, Cudd Foundation, M.A. Healy Foundation, Edith Timkin Family Foundation, Andrew and Gay Ungerleider Foundation and the Kids Fund.

The Campaign for Full-Day Kindergarten

As Nathan and the Board of TNM charted a strategic plan, two overarching obstacles stood before them. The first and most daunting was Governor Johnson, who had little desire to pump more money into a public system he saw as failing and had proven more than willing to veto any piece of legislation with which he disagreed. Complicating the challenge, Johnson's stand against full-day kindergarten during the 1998 campaign diminished the chances that he would look favorably on a new proposal. "The first thing the Board brought up," Nathan recalled, "is, 'Let's say you are lucky enough to get this through the legislature. What makes you think the Governor would sign it?' There wasn't a really good answer. It certainly doesn't sit neatly with his principles. He is a big voucher advocate and not a fan of public schools…So, working out of necessity more than anything, we began thinking about how to turn him around." TNM's strategic campaign would be geared to securing Johnson's signature on the legislation.

The other major obstacle, and the main reason for FDK's past defeats, was the reluctance of the legislature to get behind the costly initiative. Although most Democratic legislators supported an expansion of kindergarten in principle, the leadership of the House and Senate, as well as the influential Chair of the Education Study Committee, were on record as saying a state-wide kindergarten expansion was too costly. Most legislators, TNM calculated, could be convinced of the educational merits. If full-day kindergarten was to become law, the legislature would have to be persuaded that it could be afforded.

Making The Case for Full-Day Kindergarten: Although Nathan had considerable expertise in crafting and lobbying for legislation on issues such as environmental protection and drunk-driving enforcement, he had no experience working on educational issues; full-day kindergarten would be his first foray into the contentious world of educational policy. With the help of a librarian who introduced him to the ERIC educational database, Nathan set about immersing himself in the early education research literature. During the summer of 1999, he researched and wrote a report with the help of Romero-Wirth outlining the new organization's case for FDK. TNM Board members provided critical line-by-line feedback on drafts of the report.

TNM made the case for full-day kindergarten in a highly logical, readable and persuasive report, "Increasing Student Achievement in New Mexico: The Need for Universal Access to Full-Day Kindergarten."[50] Interweaving research, educational and social indicators, and quotes from teachers, parents and educational experts, the report laid forth arguments designed to attract bipartisan support for the proposal. In analyzing the state's current provision of services, Think New Mexico pointed out that while 54.7% of five-year-olds attended full-day kindergarten programs nationally, only 14.7% did so in New Mexico. Ultimately, the report argued that New Mexico children were way behind their peers in educational achievement. In a state desperately in need of educational reform, full-day kindergarten may be among the most effective and efficient ways to enhance children's achievement and development.

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[50] "Increasing Student Achievement in New Mexico: The Need for Universal Access to Full-Day Kindergarten," *Think New Mexico*, Fall 1999. Nathan's wife Arlyn, a graphic designer, designed TNM's initial FDK report and all subsequent reports.

Think New Mexico advanced the following arguments, most of which revolved around benefits to be realized by children:

Most Five-Year-Olds are Ready for a Full School Day. Directly confronting a concern expressed by skeptics, Think New Mexico referred to studies indicating that children in full-day kindergarten programs are no more fatigued than those in half-day classes. The report quoted a kindergarten teacher who stressed that six-and-a-half hours was not too long for five-year-olds to be in school. TNM acknowledged, however, that a relatively small number of students may not be developmentally ready for a full day. For these students, schools may be given the flexibility to ease them into a full day or allow them to attend for a shorter period of time.

Full-Day Kindergarten Students Consistently Outperform Half-Day Kindergarten Students on Learning Achievement Measures. The report cited findings from a 1993 evaluation that compared students who attended full-day classes at an Albuquerque elementary school to those who received traditional half-day classes.[51] By the end of the school year, full-day kindergartners gained an average of 17 months on a measure of academic achievement, compared to only 5.4 months for half-day students. The full-day students also scored significantly higher than their half-day peers on a school readiness test. The report emphasized that the New Mexico findings were consistent with a body of research from other states.[52]

Full-Day Kindergarten Results in a Powerful Return on Investment. Based on the widely-reported findings from the cost-benefit analysis of the Perry Preschool program, the report highlighted, in emboldened letters, that "every tax dollar invested today on implementing full-day kindergarten would also return $7.00 in long-term benefits such as less crime, higher tax revenues and less welfare dependency."[53] Nathan says that Think New Mexico intentionally used the business lexicon of "return on investment" in the report and during their lobbying efforts to attract the support of the business community, conservative legislators and the Governor.

Full-Day Kindergarten Especially Benefits Children from Economically-Disadvantaged Backgrounds. While not framing the proposal as a remedy for economic and educational inequities, TNM cited research suggesting that full-day kindergarten provides the most benefits for children from low-income or educationally-disadvantaged backgrounds. The report underscored the importance of this benefit for New Mexico, which ranks among the states highest in child poverty and students whose first language is not English. The report underscored, however, that children from middle- and upper-income families would also benefit from FDK.

The Full-Day Kindergarten Schedule Permits a Broader Curriculum. Think New Mexico emphasized the inadequacy of the two-and-a-half hour school day, which, among several limitations, offers less time for teachers to observe and interact with students or to implement individualized curricula to meet students' developmental needs. To counter skeptics who the organization knew would claim that full-day kindergarten is "glorified babysitting," the report included a detailed example of a FDK schedule. The schedule illustrated that the extra hours provide teachers with the time to enrich the curriculum with academic instruction, as well as more opportunities for field trips and to develop children's social skills. Think New Mexico also stressed throughout the campaign the inefficiency and absurdity of some children in half-day classes spending almost as much time or more on buses than in classrooms.

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[51] Sandra Warrick, "A Three-Year Study On the Effectiveness of Full-Day Kindergarten at Lowell Elementary School, Albuquerque, New Mexico," Unpublished Report, 10/93.

[52] For a comprehensive review of research on kindergarten, see: Sara Vecchiotti, "Kindergarten: The Overlooked School Year," New York: Foundation for Child Development, 10/01. Also see: " Key State Education Policies on K-12 Education" (2000). Washington, DC: Council of Chief State School Officers.

[53] Researchers would probably challenge this claim. The Perry Pre-School, a small specialized program for low-income three- and four-year-olds, is not equivalent to a universal, statewide education expansion for five-year-olds.

Full-Day Kindergarten Facilitates the Transition to and Readiness for First Grade. The report highlighted findings from a longitudinal study that found that the number of hours children attended kindergarten predicted how well they made the transition to first grade.[54] Given that this transition constitutes an important period for children's academic and social development, Think New Mexico argued that full-day kindergarten may be the most cost-effective way to address New Mexico's high dropout rate.

Full-Day Kindergarten Meets the Child Care Needs of Working and Lone Parents. Although TNM would be careful not to overuse this argument while lobbying legislators, the report stated that societal changes in women's labor force participation rates and family formation patterns make full-day kindergarten a more desirable option than half-day classes to meet the child care needs of most families.[55] The report also cited national and state surveys indicating that the majority of parents do favor a full-day schedule.

Teachers Support Full-Day Kindergarten. Think New Mexico stressed that teachers generally support an expansion of kindergarten. Among its advantages, a full-day schedule provides teachers more time to individualize curricula, interact with parents, and diagnose and address behavioral problems. The report cited the Full-Day Kindergarten Task Force's 1993 survey that found that 62% of New Mexico teachers preferred full-day kindergarten, compared to 24% who supported retaining a half-day schedule.

New Mexico Can Afford Full-Day Kindergarten. With the imperative of convincing policymakers that FDK was affordable, Think New Mexico argued that the State Department of Education's calculation of annual operating expenses (approximately $37 million) failed to take into account several areas of savings that accrue from full-day expansion.

Confronting Cost: Identifying Areas of Savings Think New Mexico documented that approximately $5.5 million in transportation costs could be saved by eliminating mid-day bus trips to transport kindergartners.[56] The report also noted that because full-day schedules allow for fewer students and more time, teachers are more likely to diagnose learning problems and provide preventive services, thereby lessening the number of children retained in grade or in need of special education classes. TNM calculated, based on the average cost ($4,188) spent per special education student and a conservative estimate of reduced need, that full-day kindergarten would save the state approximately $3,800,000 in special education costs. Moreover, based on estimates provided by the New Mexico Department of Children, Youth and Families, Think New Mexico calculated that the expansion would save the state close to $850,000 in reduced state child care subsidies.[57]

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[54] Doris Entwisle and Karl Alexander (1998). "Facilitating the Transition to First Grade: The Nature of Transition and Research on Factors Affecting It," *The Elementary School Journal*, 3/98, 351-364.

[55] However, the proposed 9:00 a.m.-3:30 p.m. full-day schedule still leaves most working parents with the responsibility of finding care arrangements after school.

[56] The transportation savings result primarily from reduced labor (bus drivers and crossing guards), maintenance and fuel costs.

These three areas of savings (transportation, special education and child care) reduced the annual operational cost to $27 million. To place this figure in perspective, TNM stressed that the total represented less than one percent of New Mexico's general fund.

The report stated boldly that the entire cost of implementing FDK should not come from raising taxes or expanding the size of government: Think New Mexico promised to release a report in a few months that would outline specific programs and agencies that could be cut back or eliminated to cover the annual recurring operational costs of the programs.

The New Mexico Department of Education had also informed state policymakers that the kindergarten expansion would require a capital outlay of approximately $67 million. TNM questioned the accuracy of this estimate and recommended that the projected number of needed classrooms be independently assessed to take into account declining enrollment in some school districts.

A new revenue source would, nonetheless, be needed to cover the capital outlay expenses. Think New Mexico presented a tantalizing solution. The organization recommended dedicating two-thirds of the proceeds from the state's 2000 "Christmas Tree Bill" – an annual pork-laden bill passed at the end of each legislative session through which the governor and legislators allocate funds for specialized projects in local districts – to establish a "FDK Classroom Construction Fund." TNM, thus, illustrated that by targeting cuts for one year and prioritizing kindergarten over questionable appropriations, the state could pay for the entire cost of constructing necessary classrooms.

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[57] While the identified reductions in child care subsidies did not provoke opposition in New Mexico, child care advocates in other states might be expected to contend that the savings should be distributed to cover the profound unmet child care needs for children from birth to four.

Launching a State-Wide Campaign In September 1999, Think New Mexico held a press conference to announce the launching of a campaign to establish full-day kindergarten in the state. Several board members, including Secretary Udall, Governor Carruthers and Ambassador Ortiz, joined Nathan to speak about the need for education reform. The state's media, which had been concentrating on New Mexico's significant educational problems, provided extensive coverage; several papers lauded the new organization and its educational proposals. In an editorial enthusiastically endorsing full-day kindergarten, *The Santa Fe New Mexican* singled out TNM's "distinguished and diverse board of directors" and called the "nonpartisan public policy institute" an "organization willing to set aside political and philosophical differences for the sake of a better New Mexico."[58] *The Albuquerque Tribune* wrote that "you don't need a college degree to see the wisdom of FDK....But throughout the years of failed proposals to institute FDK statewide, public officials have shrugged their shoulders and said, 'Sorry, can't afford it.'"[59] The media highlighted Think New Mexico's pledge to identify governmental cuts that could pay for the operational costs of the proposal.

The previous advocacy and legislative efforts (1993-99) raised full-day kindergarten as a potential education reform; Think New Mexico's reports served as a catalyst in elevating the issue's prominence. The organization now had five months to draft legislation, build public support, and mount a public campaign to persuade a reluctant legislature and governor to support a policy proposal that had been repeatedly rejected. The organization's campaign would include the following elements and strategies:

The Strategic Selection of Legislative Sponsors. Think New Mexico understood that full-day kindergarten legislation would have a much more difficult chance for passage – and would be less likely to avoid a Johnson veto – if it was supported solely by Democrats. Nathan intentionally selected legislative sponsors whose involvement would help both to counter a perception of a "liberal issue" and to construct a broad, bipartisan base of support. "People always underestimate how important it is to pick a sponsor," Nathan says. "Advocacy groups often pick the usual suspect to be their sponsor. In other words, if it is a liberal issue, they pick a liberal. If it is a conservative issue, they pick a conservative."

"The selection of who you want to carry your stuff is very important in the New Mexico Legislature," former Governor Carruthers commented. "You can actually get a very good bill killed by having the wrong person associated with it." Calculating that the fight would ultimately be over money rather than education policy, the organization reached out to two unlikely senators: John Arthur Smith, a conservative Democrat from a rural district, and Sue Wilson, a moderate Republican businesswoman who, not insignificantly, was aligned with Governor Johnson. Both Smith and Wilson are fiscal conservatives who served on the influential Senate Finance Committee; neither served on one of the state's education committees.[60]

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[58] "Full-day kindergarten: It's about time," *The Santa Fe New Mexican*, 8/30/99, p. A9

[59] "Full-day kindergarten is a sound investment," *The Albuquerque Tribune*, 9/1/99.

[60] From his legislative experience, Nathan knew that the Senate often breaks down in a filibuster at the end of the session. To prevent the bill from getting lost in a larger political battle (as it had in previous years), he wanted it to be carried early in the Senate by sponsors who had the credibility and reputations to garner broad legislative backing.

Senator Smith says that he initially became interested in early childhood education as a reform to help prevent Columbine-type acts of violence. His reputation as a fiscally responsible legislator – not a free-spending liberal – would provide credibility on both sides of the aisle. He would play an important role in lobbying legislative colleagues concerned about the costs of the expansion.

Senator Wilson, like Johnson, is a strong proponent of vouchers. She explained that she decided to co-sponsor the legislation partly out of her concerns for low-income children who fall behind academically at an early age. "I worry about the next generation coming up," she said. "It is almost impossible to break the cycle, but if we can get them reading by grade 1, we still have a chance of salvaging these children so that they can go home and realize that they don't have to follow in the path of big brother or their father who is in prison or the kids in the street." During the legislative session, she and Nathan would speak and plot strategy on an almost daily basis. In addition to pushing for Republican support, she would have the crucial task of helping to convince Johnson to sign the bill.

Generating Free Media Coverage Think New Mexico lacked the resources to mount a large-scale public media campaign. Nathan believed that to build momentum necessary to create essential political pressure, TNM would have to push the issue as much as possible to obtain free media coverage. "We knew that the best way to get to the legislature – and the only way to get the public involved – was to go to the media and get their support," Nathan said. From September through the legislative session, representatives from Think New Mexico met with writers and editors from the state's major newspapers (*The Santa Fe New Mexican*, *The Albuquerque Journal* and *The Albuquerque Tribune*), which responded with extensive coverage and several enthusiastic editorial endorsements. Nathan also wrote op-ed articles published in local papers.

As the three major newspapers began to cover the legislation and campaign, the organization received interview requests from radio and television stations across the state, as well as from smaller regional and local newspapers. Within a span of five months, Nathan conducted dozens of interviews with print journalists and appeared on radio and television on at least six separate occasions. The press also frequently quoted the legislative sponsors and prominent Think New Mexico board members.

Nathan went out of his way to provide journalists with information or to encourage coverage of breaking developments. "He knew the media very well," said one reporter who recalled Nathan walking into the capitol media room on an almost daily basis. The reporter commented that while Nathan's knowledge and intellectual honesty gave him credibility, his "persistence sometimes annoyed the capitol beat reporters." As the vote neared, Think New Mexico maximized the free media coverage to reach legislators; on one occasion, for example, the organization distributed copies of a positive article about the legislation to the offices of every legislator in the Senate and House.[61]

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[61] The article was: Ann Constable, "Who Wants All-Day Kindergarten? A New Mexico Think Tank Has Launched an Aggressive Campaign in the State Legislature." *The Santa Fe Reporter*, January 26-Feb 1, 2000, pp. 16-26.

"The media just kind of fed off itself," Nathan says. "More stories led to more stories. And then it got fairly dramatic at the end – whether it was going to pass and whether Johnson was going to sign it. At that point we didn't have to prime the pump any more as before; it was just occurring naturally because it was a genuine news story."

Attracting the Support of New Mexico's Business Community. "The strategy always was to get the business groups on board," Nathan explained, "so that if we got the bill passed, the Governor would be essentially isolated if he opposed it. Because the backbone of his support in the state is the business community, if you can get the business community to support full-day kindergarten, we thought that it would make it somewhat difficult to veto it."

Although New Mexico's conservative business associations rarely endorsed legislation that called for increased spending, in the preceding years the state's business community had, in fact, become strong advocates for school improvement. Think New Mexico, working closely with Senator Wilson, pitched the concept to the state's business leaders and associations. The Hispano Chamber of Commerce, an association of Hispanic business leaders, was an early supporter of the legislation. The state's largest and most influential business organization, the Association of Commerce and Industry (ACI),[62] would be a more important ally.

J.D. Bullington, ACI's Vice President of Government Affairs and chief lobbyist in Santa Fe, says that the involvement of Think New Mexico board members Governor Gary Carruthers and David Buchholtz, who had close ties to the organization, helped to persuade ACI's leadership to back the legislation.[63] With the endorsement of ACI's Governing Committee, Bullington had the mandate to lobby for passage of the bill.

According to Bullington, his education about full-day kindergarten came completely from Think New Mexico. He used two main arguments in his discussions with legislators: First, he contended that meeting two-and-a-half hours a day was "nonsensical" and stressed the wastefulness of the state spending millions of dollars on extra bus trips in the middle of the day. Second, Bullington emphasized that research indicated that a rich early learning environment helped to prepare children for later educational success.

During the legislative session, Bullington spoke to dozens of legislators, as well as the governor's advisors, about the merits of the bill. "Full-day kindergarten was something that I talked up a lot," he said. "Once word started getting around that ACI supported it, I had several legislators seeking me out, saying, 'What is ACI doing supporting full-day kindergarten?' Of course, I'd give them my answers. Basically, start off saying that when you think about it, it's sort of nonsensical. They'd be quiet for a while. And then I'd go into the financing aspect of it. It won a lot of people over….It elevated it to another level."

Bullington recalled speaking to conservative representatives who firmly opposed putting more money into an education system that they view as broken. "The way I countered that perspective" he said, "was to say 'We don't disagree that there needs to be education reform; we are all on the same page there. But, before you do education reform, one of the first steps should be free full-day kindergarten programs because there seems to be evidence that it is beneficial – even in an education system that may not be hitting on full cylinders. Getting young kids exposed to the environment as soon as possible seems to have tremendous beneficial effects.'"

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[62] ACI is New Mexico's equivalent of a state-level Chamber of Commerce.

[63] Personal communication, 7/19/01.

ACI's leadership ultimately came to see the expansion as such a critical component of education reform that the organization informed legislators that it would be a "Score Card" issue – one of a series of pro-business votes on which the organization ranked legislators. ACI's endorsement and lobbying would be hard for Republican legislators and the Governor to dismiss. "Governor Johnson's very sensitive to business concerns," former Governor Carruthers said in explaining how pressures from business leaders might have weighed on Johnson.

The Identification of Funding Sources. Although the state's robust economy had generated surplus state revenues, Nathan and the Think New Mexico Board believed that they had to address head-on the funding of the proposal. In its introductory report, the organization had identified potential savings that reduced the recurring operational costs from approximately $37 million to $27 million. Democratic leaders in the legislature, nonetheless, had intimated that despite general support for full-day kindergarten, the state still could not afford it. And Johnson's recent history of vetoes strongly suggested that he would be reluctant to appropriate additional revenues for the public schools.

Over the years, Nathan, an inveterate policy wonk, had kept a file of clippings on governmental programs and initiatives that he found to be outrageously wasteful. He pitched to the Board the idea that the organization scrutinize the state budget to identify non-essential spending that could be cut to cover the costs of FDK.

Directly targeting and attacking programs and subsidies – all of which presumably had a committed constituency – was not without risks. Governor Carruthers recalled some disagreement among Think New Mexico board members about the tactic. He, for example, personally believed the strategy would prove ineffective. "It almost takes away from your argument," he said. "If you are going to argue that you are going to close down non-essential services to fund another service – in particular services you know the body politic is not going to close down – you are wasting your time and you are looking a little foolish." But the majority of Board members shared the perspective of attorney Roberta Ramo, who said, "I really felt that it was irresponsible to go to the legislature with something and ask for money that didn't exist."

Think New Mexico hired a former state budget director to work with Nathan and Romero-Wirth to review the state budget – and the over 5,000 contracts the state signed in the preceding year – line-by-line. As a result of the grueling endeavor, in December 1999, TNM released a second report, "Setting Priorities: How to Pay for Full-Day Kindergarten." The report outlined an extensive array of non-essential and duplicative appropriations and subsidies that could be cut to cover the costs of full-day kindergarten. "We recognized that full-day kindergarten carried a price-tag with it and, therefore, we felt an obligation to explain how the state could pay for it," Nathan explained to the media.[64]

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[64] Mark Hummels, "Trims in State Budget Could Fund Full-Day Kindergarten," *The Santa Fe New Mexican*, 12/3/99, p. A-1.

In the report, Think New Mexico identified over $14 million in non-essential spending in professional service contracts earmarked for such purposes as marketing expenses for private industries and public relations. The report also highlighted over $4 million that could be saved by eliminating or cutting subsidies to boards, commissions and councils that served no significant function or could operate as self-sufficient entities. The report further identified tax loopholes (e.g., the volume discount for tobacco distributors) and tax subsidies (e.g., exemptions for horse feed, race track commissions, or large landowners to kill wildlife predators) that any policymaker would be hard pressed to defend. In total, TNM identified over $37 million in non-essential funds, which would more than cover the State Department of Education's estimate for full-day kindergarten. The report concluded: "Our public spending decisions should reflect the best interests of all New Mexico, rather than the special interests of a few. Full-day kindergarten would benefit the entire state by increasing student achievement in the short term and by reducing crime and welfare dependency in the long term...The bottom line is that there is already sufficient revenue to pay the cost of implementing full-day kindergarten."

New Mexico's three major newspapers covered the release of TNM's financing report and followed with hearty editorial endorsements. In an editorial titled, "The Money is There for Full-Day Kindergarten," the *Santa Fe New Mexican* contrasted Think New Mexico to "literal-minded" think tanks that "think up nice notions for politicians' consideration but stop short of showing how their ideas can be carried out."[65] Kate Nelson, a popular columnist for the *Albuquerque Tribune*, referred to the identification of wasteful expenditures as "brilliant." "As someone who is deluged with reports," she said, "Think New Mexico's were the most cogently written and persuasive I have seen." Even the conservative-leaning *Albuquerque Journal* noted that "in contrast to most groups with a good idea for spending state money, Think New Mexico has drafted a follow-up blueprint on where to wring the necessary money out of existing state expenditures."[66]

Although the legislature never, in fact, followed through with the targeted cuts – some bills based on the recommendations died in committees – the report accomplished several aims. First, it may have helped to attract the support of the business community and conservative legislators. "Eliminating governmental waste is something we lobby for," ACI's Bullington said. "The financing proposal that Think New Mexico came up with was very palatable and was also very in-line with the conservative business agenda. The strategy of financing it dovetailed right into the philosophy of our business organization." Ultimately, by shedding light on some of the absurd dead-wood and pork-laden expenditures lurking within the state's massive general revenue fund, TNM's message was clear: With a re-casting of priorities, New Mexico could afford this beneficial education reform. "What it did say was that if you have an issue that is important enough," said Senator Wilson, who personally disapproved of the tactic, "someway you should find the money. If this is the most important thing that your state should do, then find a way to fund it."

"It accomplished its purpose," Nathan says looking back on the report, "which was to say that we didn't need to expand the size of government or to raise taxes to pay for this. If the legislature and the Governor were willing, we could just allocate resources from under-performing government programs to something that we knew would be high-performing by contrast....It persuaded them that, indeed, they did have the money."

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[65] "The Money is There for Full-Day Kindergarten, *The Santa Fe New Mexican*, 12/5/99, p. F6.

[66] Bill Hume, "Kindergarten Advocates Comb Budget," *Albuquerque Journal*, 12/5/99, p. B3.

Senate President Richard Romero, who opposed the kindergarten expansion, credited Think New Mexico with "pointing out all the inefficiencies in government." "We didn't really hit those resources," he added, "but (the report) got the dialogue on (full-day kindergarten) going."

The Strategic Crafting of the Legislation. Shortly after Senators Wilson and Smith sponsored full-day kindergarten legislation in the Senate, a representative from the House, acting on his own, introduced similar legislation. Eighty-year-old Paul Taylor had been among the legislature's most consistently liberal voices since he was first elected to office in 1987. A life-long educator whose political interests gravitate towards children and family causes, Taylor's legislative accomplishments include sponsoring the bill that established New Mexico's Office of Child Development. Representative Taylor – described fondly as the "bleedingest of the bleeding hearts" by one legislative insider – had strived to enhance early education in New Mexico for years. After he introduced his full-day kindergarten bill in the House, Nathan worked with him to lobby for support among state representatives. According to Taylor, during the legislative session he had almost daily contact with TNM's staff of two.

Think New Mexico worked with Wilson and Smith in the Senate and Taylor in the House to shape the legislation to counter political opposition and attract bipartisan support. Among the key elements included in the bill were:

> **Voluntary Participation**: The legislation specified that "Establishment of full-day kindergarten shall be voluntary on the part of school districts and student participation shall be voluntary on the part of parents." While not conceiving of the principle of choice (all previous FDK bills also specifically called for voluntary participation), Think New Mexico and the bill's sponsors viewed voluntary participation as essential to attracting bipartisan backing. "I think voluntary involvement is very important," said Senator Wilson, "because there are a lot of people who are family-values people and they feel that you should have a stay-at-home mom and that the mother will assure that the half-day that the child is not in kindergarten that they are being read to and that they are having an enriched and enlightening learning experience. And they are right. I agree with that." Nathan's reading of the early childhood education literature convinced him that some children may not be developmentally ready for a full day. He contends that states would be wrong to mandate full-day participation for all five-year-olds. Offering parental choice, he believed, would also end up swaying many legislators who had concerns about both the need and appropriateness of a full-day schedule. "I think (voluntary participation) is a political selling-point," Nathan says. "And I think from a policy standpoint, it is absolutely the right thing to do."
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> **Phase-In of Implementation**: Think New Mexico and the bill's legislative sponsors opted for a five-year phase-in – 20% of eligible students added each year over five years – to give the state adequate time to recruit necessary teachers and identify sufficient classroom space. The politics of budgetary appropriations also factored into the decision. Nathan explained that they selected a five-year span, instead of three of four years as had been proposed in earlier bills, to re-allocate costs and reduce the appropriated annual

funds below $10 million. Requesting $8.5 million per year, Nathan calculated, would be more palatable to legislators and a governor reluctant to significantly increase state spending. Re-allocating costs would also help to sidestep potentially destructive battles with other interest groups seeking appropriations, such as the Teachers Union, which lobbied heavily for salary increases. "We didn't want to leave legislators with the choice of full-day kindergarten or teachers' pay raises," Nathan explained.[67]

Phase-in Targeted to At-Risk Students: Despite the fact that the preponderance of state and federal early education and care funds are earmarked for low-income families and children, New Mexico advocates, policymakers and educators never argued that full-day kindergarten should be a targeted means-tested program for economically- and/or academically-disadvantaged children. Full-day kindergarten was only conceived as a universal program. The State Department of Education indicated, however, that to provide the state time to identify classroom space and teachers, the program would have to be phased-in over time. Think New Mexico, working in collaboration with the legislative sponsors and staff from the Department of Education, devised a phase-in schedule that prioritizes providing funding for programs first to districts that serve the highest proportion of at-risk students.[68] "It made the most sense to do it from a policy standpoint," said Nathan. "If you had to make choices between kids, you target it first to the poorest kids. And we knew politically that it would probably help us….That was one of the happy times when the politics and the policy came together."

Benchmarks of Accountability: To appeal to legislators and to the Governor who are proponents of testing and educational accountability, the legislation called for the State Department of Education to administer pre- and post-tests to determine if programs are "meeting benchmarks necessary to ensure the progress of students." School districts that fail to demonstrate sufficient gains could have their funding for full-day kindergarten removed. Senator Wilson, in particular, pushed for the accountability standards, which she believes are in-line with the state's current emphasis on performance-based budgeting. "One wonderful thing about this bill," she said, "and the reason I demanded this feature, is that we can start the accountability from kindergarten and move it up, work the kinks out. So, if you have a poor performing school, and they open up that all-day kindergarten and the children are tested at the beginning of the year and at the end of the year and they are not doing well, then the Board of Education can opt to take that school down."

Nathan acknowledged that from his perspective, the primary purpose of the accountability provisions was to broaden the political appeal of the legislation. "We put in language that was mostly for Governor Johnson's benefit, frankly," he explained. "That said, 'If you don't score well, you could lose your funding.' I was convinced that we weren't going to find any student who was going to go backwards as a result of full-day kindergarten, so I was okay with that in."

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[67] Ann Constable, *Santa Fe New Mexican*, "Ten Who Made a Difference," 9/10/00.

[68] At-risk was measured by three factors: 1) percentage of low-income students, as measured by free- and reduced-lunch status, 2) percentage of non-native English speakers, and 3) mobility of parents.

Attracting the Support of Influential Stakeholders. In addition to reaching out to influential opinion leaders and decision makers in the business community and media, Think New Mexico sought the involvement and endorsement of individuals who had access to key policymakers. Several members of TNM's Board, in fact, spoke directly to Governor Johnson and other leading policymakers. The most well-connected ally during the campaign, however, turned out to be the First Lady, Dee Johnson.

"She is a grand lady," Senator Wilson said of Dee Johnson. "She is not a flamboyant-type First Lady. You can sit down and talk to her about the issue and she will get it. What I know is that Fred (Nathan) and I targeted her. We met privately with her; we asked her to help influence her husband."

Mrs. Johnson has a degree in elementary education and has worked with the National Governor's Association on early childhood education issues. During her husband's two terms in office, she has concentrated much of her time and effort on education and literacy. Mrs. Johnson acknowledged taking great interest in Think New Mexico's education proposals. "When they started Think New Mexico," she recalled, "Fred Nathan started coming over and asking my opinion on things. And then when the legislation came up, I know that he came up and talked to me many times, as well as the legislators that were carrying the legislation."[69]

Dee Johnson credits Think New Mexico with focusing the state on full-day kindergarten. She said that she carefully read the organization's reports and financial analyses and discussed the issue with parents and teachers when she traveled around the state. She also shared her endorsement of the bill with the Governor and his staff. "I know when the legislation would come up," she said, "I would talk a lot with his staff and with Gary. I sit in a lot of those meetings when they are going over legislation for my opinions on it, because I think they know that I am out there a lot and kind of plugged into the education world. And as involved as I was, I think they respect my opinion on it."

Legislative Politics

In the months leading up to the 2000 legislative session, the state's media reported consistently on New Mexico's dismal standing in national rankings of academic achievement. Legislators from both parties felt increasing pressure to demonstrate a commitment to improving the state's educational system. By the start of the 30-day[70] session, Think New Mexico's campaign had successfully generated publicity, public support and political momentum that elevated kindergarten towards the top of the state's legislative agenda. Nathan and colleagues from the organization and staff from the New Mexico State Department of Education testified at legislative committees on behalf of the bill. As media coverage intensified, legislators began to hear from supportive parents and teachers. Other organizations in the state – such as the League of Women Voters, the New Mexico Association for the Education of Young Children (AEYC), the Indian Affairs Commission and the state chapter of the American Association of Retired Persons (AARP) – endorsed the bill.

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[69] Personal Communication. Interview in Mrs. Johnson's office, New Mexico State Capitol Building, 7/26/01.

[70] In even years, New Mexico has a 30-Day "Short Session." In odd years, the legislative session lasts 60 days. The State Constitution mandates that the Short Session be limited to budgetary and tax issues. TNM was prepared to argue that full-day kindergarten was germane during the short session because it would cost money and, thus, is a budgetary issue. To the organization's surprise, opponents never challenged the relevancy of the issue.

Mustering Legislative Support Despite burgeoning public support, some influential policymakers still had reservations. A number of Republican legislators, many of whom backed the Governor's voucher proposals, continued to oppose the bill. "We had a lot of criticism from opponents of this bill that said all they want to do is have working mothers have a babysitting service," said Senator Wilson, who endured the brunt of the criticism from her Republican colleagues. "I thought these people were very shallow in their knowledge of the legislation and issues." While not as significant a political force as in many Southwestern and Southern states, a few conservative legislators aligned with the Religious Right spoke out against the legislation. The Minority Whip Erlene Roberts, for example, became a vocal critic. "I just do not believe in taking babies away from their parents for a long period of time," Representative Roberts said about her opposition to full-day kindergarten.[71] She explained that in addition to viewing early education as an improper intrusion into family life, she fears that the FDK program will become mandatory and may include curricula that promote such anti-family values as acceptance of homosexuality. "We don't need someone else's special interest curriculum shoved down everyone's throat that doesn't need it," Roberts said. "I am afraid that will happen. And when you take little itty-bitty children, teaching them so that they are not learning what their parents are teaching, then we become Russia....I believe in parental rights."

The most politically-significant resistance, however, appeared to come from influential Democrats. Senator Cynthia Nava, Superintendent of Gadsen Schools and the Chair of the Senate Education Committee, had substantive concerns about the state's educational funding priorities. Since full-day kindergarten had first been raised in the early 1990s, she argued that the state ought to strive to provide universal pre-kindergarten, which she believes would be more beneficial for the state's poorest children. She noted correctly that much of the research quoted in support of full-day kindergarten actually derived from studies and evaluations of preschool programs. Despite years of apparent opposition and numerous public comments in which she questioned the educational merit of full-day kindergarten, Senator Nava ultimately voted for the bill. "Frankly, I always had been in favor of full-day kindergarten," Nava explained. "But I do feel by my reading of the research and literature that our needs are better met by earlier intervention....By five, a lot of territory has already been lost."[72]

Senate President Richard Romero spoke out publicly against the bill. "I think at kindergarten...we've got proof that it hasn't worked," Romero told the press. "I'm fearful that we're going to spend this money and it's not going to do the job. As good as it may sound, I think we're going the wrong way."[73] A Regional Superintendent and long-time educator, Romero argued that with educational funding "woefully inadequate" in New Mexico, the state should prioritize increasing teacher salaries. "My perspective is that I believe in full-day kindergarten," he explained. "I also believe that teachers are horribly underpaid. I think they should be the priority."[74]

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[71] Personal communication, 7/10/01.
[72] Personal communication, 12/20/01.
[73] Gilbert Gallegos, "Kindergarten Bill Passes, But Debate Far From Over," *Albuquerque Tribune*, 2/15/00, p. A1.

Some legislative observers believe that the reluctance of key Democrats to back the legislation may have stemmed from their connection to the state's teacher's unions. As in most states, unions constitute a powerful political force in New Mexico, particularly among Democrats. Some policymakers, journalists and advocates claim that the unions saw the kindergarten expansion as appropriating scarce funds that could enhance teacher salaries and may have been working quietly behind the scenes against the bill.

Bill Waters, an editorial writer for *The Santa Fe New Mexican*, recalled that during the legislative session, the teacher's unions were not as publicly-supportive as would be expected. "They thought, 'Nuts to that! Give us the money in teacher salaries,'" he said. "They couldn't come out and say that – they would have looked like thugs."[75] *Albuquerque Tribune* columnist Kate Nelson commented, "I don't know if (the unions) were actively opposed, but they are a force among the legislature, which is Democratic. Behind the scenes, the legislature certainly knows what they want."[76]

Not all stakeholders agree that the unions sought to impede passage of the bill. "I think it is unfair to say that the teachers unions are so interested in salaries that they were in the way," Representative Taylor said in defense of the unions. Don Whatley, who has been one of the union's primary lobbyists in the state for twenty years, called it an inaccurate characterization to imply that the unions did not actively lobby in favor of the full-day kindergarten bill. "Our demands were consistent," he said. "We wanted high quality standards and salaries, and high quality programs, such as full-day kindergarten." The union not only backed the bill publicly, he added, but lobbied for guarantees that the state would staff kindergarten programs with qualified, licensed teachers. Whatley, nonetheless, acknowledged that some of the unions' leadership may have mistrusted the motives of Think New Mexico, because of concerns that the organization "might be dabbling with the idea of supporting vouchers."

"The teachers became afraid to oppose us," said Ambassador Frank Ortiz, who, in fact, is one of a handful of Think New Mexico board members open to an experimental voucher program.[77] "They were afraid of us. Inwardly, they were opposed. Publicly, they didn't come out against us." "(The Unions) got on board," Senator Smith added. "But it was a cool reluctance, because it was an additional program competing for money." Senator Wilson concurred that the unions ultimately calculated that they had no option but to back the legislation. "In the end, they came on board," she said. "Because politically, how can you be against something that would allow their children to come into the classroom better prepared for learning?"

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[74] Personal communication, 11/29/01. Romero's concerns were not unfounded. In 1999, New Mexico's average teacher salary ranked 45th in the nation; low compensation has contributed to a severe teacher shortage in several of the state's school districts. To bolster teacher recruitment and retention, in 2001 the state passed legislation mandating an 8% salary increase. "Improving Outcomes for Children: The State of Public Education in New Mexico" (2002) New Mexico State Department of Education.

[75] Personal communication, 7/10/01.

[76] Personal communication, 7/10/01.

[77] In September 2000, TNM released a report calling for a sweeping overhaul of the state's public education system. While the organization's reform plan called for more charter schools and enhanced parental choice in selecting schools within and without district boundaries, it notably did not support vouchers; TNM pointedly described vouchers as unfeasible in a state with few private schools. "What we're proposing is a third way between vouchers and the status quo," Nathan told the media. Senate President Richard Romero co-sponsored the legislation based on TNM's reform strategies. Darcia Bowman, "Group Urging Shake-Up in New Mexico," *Education Week*, 9/13/00.

"The intriguing thing about the whole (FDK) issue," said an education reporter who covered the legislative session, "is why hasn't this passed when nobody seems to be so opposed to it?" Despite the continued resistance of a few fiscal conservatives, an organized opposition, fueled by ideology, competition or fiduciary interests, never materialized. The proprietary child care industry, which has lobbied against publicly supported preschool in some states, did not enter the fray.[78] Competition for funding with other potential programs and legislative priorities became the major obstacle to passage. "Budget politics in New Mexico, as in most states, is the most nasty and brutish," Nathan said. "Any time you come in asking for new money, you are competing with the universities, the teachers unions, and anybody else who has an agenda that is seeking new money. While there was nobody who was jumping up and down saying don't do this, in the final analysis, our biggest opponents were people we were competing against for new revenue."

Every morning during the session, Nathan checked in personally with the legislative sponsors (Taylor, Wilson and Smith). If they needed anything – a typed speech, talking points, photocopies – he and his staff took care of it. Nathan and his allies spoke to every legislator in the House and Senate, shaping arguments to appeal to the person's ideological leanings and legislative priorities: "We tried to make a marketing package that was attractive to everyone to counter all objections out there," Senator Smith said. To Republicans, in particular, they tended to emphasize that the reform could be done in a fiscally-prudent manner and would bring a high return on investment. To all politicians, they claimed that full-day kindergarten would boost student achievement – an affordable and popular reform that made enormous sense educationally and politically.

In the days leading up to the floor debate, TNM's head count revealed a potentially close vote. Although a few conservative legislators spoke passionately against the bill on the House floor, in the end, most of the legislators who had expressed misgivings gauged the political winds, and joined the majority of Democrats and Republicans in voting for the legislation. "How do you argue against it?" asked Senator Romero, who also voted for the bill. "It's like arguing against God, the flag, and apple pie....You don't want to be the only person voting against the flag." Senator Nava spoke in strikingly similar terms. "It is sort of un-American to be against full-day kindergarten," she said. "It's a pretty hard stand to be against." Many legislative colleagues felt similarly. Both the Senate (28-8) and the House (63-4) passed the bill by overwhelming margins.

A Governor's Decision Early in the legislative session, Governor Johnson suggested in his public comments that he would veto the bill. In February, as the legislature had begun to consider the proposal, Johnson told a group of broadcasters that he opposed the FDK legislation. "I'm slain by the fact that here it is the year 2000 and we're still going to school for 12 years," Johnson was quoted in the papers saying.[79] "There's probably no one here at the table who couldn't have completed school in 10½ years instead of 12." On the day after the House passed the bill, Johnson's spokeswoman stated that he preferred providing vouchers for private kindergarten rather than enlarging the public school system.[80] A reporter for one of the state's major papers said that an advisor to Johnson questioned why he was spending so much time writing about something that was destined to be vetoed. J.D. Bullington recalled the Governor's advisors skeptically rolling their eyes when he brought up the legislation. "(Governor Johnson) just didn't look at the full-day kindergarten issue seriously," Bullington said. "And he didn't think it was a priority in the overall arena of education reform."

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[78] New Mexico, unlike many states, does not have a large or powerful proprietary child care industry, which might have opposed the legislation. Non-profit child care providers also did not oppose the legislation.

[79] "Gov. Rebuts All-Day Kindergarten Plan," *Albuquerque Journal*, 2/8/00, p. A6.

Ratcheting up the pressure, Representative Paul Taylor sent the governor a letter signed by two-thirds of the members of the House asking him to sign the legislation.[81] Nathan directed many of his public comments and arguments towards the Governor. "There is a lot for Governor Johnson to like," Nathan told the press on one occasion. "(The bill) provides accountability benchmarks, has solid support from the business community and, because it's voluntary, allows parents, not the state, to decide what is in the best interests of their child." Ambassador Ortiz, who walked the capitol hallways with Nathan lobbying legislators, handed the Governor's Chief of Staff and some of his advisors a flier from Johnson's first campaign, on which he promised to bring full-day kindergarten to the state. "This would be very embarrassing if it gets out to the press," Ortiz mischievously recalled saying.

The Albuquerque Tribune challenged the Governor in an editorial to sign the legislation: "By refusing to offer a helping hand to preschoolers and kindergartners, particularly when the budget can well afford the added expense, Johnson is indeed playing politics, but he is playing like a bad sport."[82]

Opponents and proponents of the legislation appealed directly to the Governor. Sue Wilson confirmed that Johnson "was being lobbied by very prominent, influential people around him to veto the bill." These anti-FDK voices most likely consisted of voucher advocates and fiscally-conservative allies who viewed the public schools as an inefficient Democratic job-machine incapable of implementing meaningful reform. Some of the business associations and individual business leaders, however, continued to urge Johnson to sign the bill. Senator Wilson recalled, for example, speaking on the phone to a prominent executive at Intel (one of the most powerful corporations in New Mexico) as he walked into a luncheon that featured the Governor as the keynote speaker. In response to Senator Wilson's request, the executive personally encouraged the Governor to back the legislation as a reform the business community needed to develop a more skilled workforce.[83]

Senator Wilson personally discussed the legislation with Johnson on numerous occasions; Nathan described her as "camped outside of the Governor's Office" during the 20-Day veto period. The State Department of Education, in fact, assigned a "point person" to provide Wilson with educational statistics and information to bolster her lobbying. Wilson said that she emphasized in her discussions with Johnson the enhanced curriculum opportunities provided by a full-day schedule and the importance of providing poorer families with the educational options available to wealthier families.

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[80] Gilbert Gallegos, "House Approves Optional Full-Day Kindergarten," *Albuquerque Tribune*, 2/9/00, p. A4.
[81] "Full-Day Kindergarten," *Albuquerque Tribune*, 2/12/00.
[82] "Governor Should Back Proven School Programs," *Albuquerque Tribune*, 2/12/00, p. C1.
[83] Nathan, who also attended the luncheon, provided the executive with FDK talking points, which he integrated into his speech.

Although it's hard to gauge the effect, the First Lady may have intensified the pressures on Johnson.[84] When asked if she encouraged her husband behind closed doors to sign the legislation, Mrs. Johnson smiled. "I admit I did. I did," she said. "You know, when I feel very passionately about something, I speak my opinion on it. I think Gary, having been in business with him all those years, we've always just worked side by side. He respects my opinion....Well, I talked to him about it. I talked to him about it a lot when I would talk with Fred Nathan and Senator Wilson."

After the Senate approved the bill, the Governor's public comments suggested that he may have been reconsidering his position. Nathan published a lengthy article in the state's major papers outlining many reasons the Governor should sign the bill. "Legislators of both parties called a cease fire long enough to pass the bill because it will make New Mexico a little bit better place for families and children," Nathan concluded.[85] He urged readers to call the Governor to encourage his support. (See Appendix B)

Towards the end of the session, the Governor, yet again, vetoed the state budget, assuring the need for a special session. But he signed into law the bill authorizing a five-year phase-in of full-day kindergarten programs in the state. "It would make a difference for a lot of kids in New Mexico," Governor Johnson said at a press conference, even as he accused the legislature of intentionally underfunding the true costs of the program. "I think it would have a positive influence."[86]

"This is the best day of my legislative history," Sue Wilson told the press.[87] "I feel that the Governor really went the extra yard because he does believe in vouchers and he did sign this public education bill."

In the end, Johnson's signature proved to be vital. Despite the apparent veto-proof majority of legislators who voted for the bill in both the House and Senate, it is highly unlikely that Republicans would have sustained an override of a Johnson veto. Sue Wilson conceded that although she views her co-sponsorship of FDK as perhaps her most significant legislative accomplishment, she nevertheless would have honored Johnson's veto. "I would not have voted to overturn the veto even though I was one of the sponsors," she explained. "It's a political issue. When you are the minority party, you have to be able to demonstrate that the last say is upstairs....They (Democrats) retaliate on the floor; we retaliate on the fourth floor. It is a matter of being able to maintain the balance of power."

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[84] The First Lady's backing of an issue, by no means, guaranteed the Governor's support: He once vetoed a bill designed to enhance educational opportunities for children in foster care that his wife lobbied for publicly.

[85] Fred Nathan, "Governor Should Sign Kindergarten Bill," *The Santa Fe New Mexican*, 2/25/00, p. A-9.

[86] Nancy Plevin, "Kindergarten Bill Gets OK From Governor," *The Santa Fe New Mexican*, 3/9/00, p. A-1.; Loie Fecteau and Michael Coleman, "Plan Approved for Full-Day Kindergarten," *Albuquerque Journal*, 3/9/00, p. A1.

[87] Andy Lenderman, "Governor Signs for Full-Day Kindergarten, but Leaves Tab Unpaid," *Albuquerque Tribune*, 3/9/00, p. A5.

EARLY IMPLEMENTATION OF FULL-DAY KINDERGARTEN

Establishing a New Educational Program

By June 2000, three months after passage of the legislation, 253 of New Mexico's 432 elementary schools applied for state FDK funding for the 2000-2001 school year; most of those that opted not to submit applications understood that they would not qualify during the first year of the phase-in. As mandated by the FDK law, the State Department of Education weighed three educational factors in the selection of schools: (1) proportion of high-mobility families; (2) proportion of students whose first language is not English; and (3) proportion of low-income students, as measured by free or reduced lunch eligibility. In July, the state selected 71 schools from 23 districts to receive funding to start full-day kindergarten classes.

That summer, the State Board of Education passed regulations underscoring that all full-day classrooms would emphasize early literacy. The State Department of Education described the full-day setting and enhanced focus on pre-reading skills as components of a coordinated state-wide effort to enhance literacy development. "Our hope is that the combined full-day setting and emphasis on literacy will provide these children with a strong foundation for future success in school," Assistant Superintendent Toni Nolan-Trujillo said in a press release. While the DOE did not mandate specific literacy-based curriculum models, it did require that all funded schools include a comprehensive, research-based early literacy program that continues into the first and second grades. Teachers and principals from full-day kindergarten schools were also required to attend state-sponsored training sessions covering topics such as reading research and the teaching of English as a Second Language (ESL). The state's concerns about a shortage of qualified kindergarten teachers proved to be unfounded; schools had no problem staffing all FDK classes with qualified teachers.[88]

Passing Legislation is Not Enough

Even as Think New Mexico moved on to its next issue – an ambitious educational reform package centered on the restructuring of educational governance[89] – Nathan and his colleagues continued to monitor the state's implementation of the FDK program. The organization influenced the first-year provision of full-day kindergarten in the following ways:

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[88] "The Status of Teacher Supply and Demand in New Mexico: A Survey of New Mexico School Districts for the 2000-2001 School Year." New Mexico Teacher Education Accountability Council, 2/15/01. According to an administrator in the New Mexico State Department of Education, by the third year of implementation (2002-03), districts have still not encountered serious staffing problems.

[89] Darcia Bowman, "Group Urging Shake-Up in New Mexico," *Education Week*, 9/13/00.

Teacher Training. In the Fall of 2001, TNM convened a "Best Practices Conference for Full-Day Kindergarten Teachers" to complement the State DOE's professional development initiatives. Attended by over 100 teachers and principals, the event's speakers included leading early childhood experts from New Mexico AEYC and the State Department of Education. The training covered topics such as full-day curricula, young children's learning styles and preventing early reading failure.[90]

Monitoring the Selection of Full-Day Kindergarten Schools. When the New Mexico State Department of Education (DOE) released its list of schools selected for the first year FDK funding, TNM noticed that some elementary schools with a high concentration of at-risk students had been passed over. Suspicious about the omissions, Nathan requested that the DOE make public the school rankings on the three factors that the legislature determined would guide the selection process. After administrators consented, the rankings confirmed that the DOE had bypassed a handful of eligible schools for "School Improvement Schools" – those for which the Department was under particular pressure to improve. Nathan sent a sharply worded letter to Michael Davis, the State's Superintendent of Public Instruction, criticizing the Board of Education for instituting a selection process that violated the full-day kindergarten law. He identified eight schools, representing 458 kindergarten students, legally-entitled to receive first year FDK funds. Nathan also noted that the Department had most likely underestimated statewide kindergarten enrollment; to enroll 20% of the state's kindergarten students in full-day classes, as mandated by the law, would require an additional 440 students. Conceding the error (and heading off a potential law suit), the State Department of Education appropriated an additional $870,000 from a supplemental fund to expand FDK to eight schools it acknowledged qualified for inclusion.[91]

The First Lady praised TNM for catching the oversight. "Think New Mexico was right on top of it," Mrs. Johnson said. "They pointed it out that (the DOE) had missed schools that should have gone; therefore, schools were added that should have been added. That is where an organization like TNM came in and sat there and targeted that and watched it...They didn't let the legislation pass and then go on and leave it alone. They are going to follow it to the very end." As a result of the correction, 5018 five-year-olds from 79 schools attended full-day kindergarten classrooms during the 2000-01 school year.

Successfully Advocating for New Full-Day Kindergarten Classroom Construction. With parents and educators raving about the extended-day classes, politics shifted towards debating the cost and pace of the phase-in. The State Department of Education's estimate of a need for 570 classrooms at a cost of $67 million loomed over all discussions. During its lobbying efforts, TNM had claimed that the estimates were inflated. To calculate projected capital expenses, the Department had asked each of New Mexico's 89 school districts to estimate the number of new classrooms needed to expand the kindergarten day for all five-year-olds in the district. With a skeptical eye, Nathan assigned two young interns the task of calling each of the elementary schools individually, inquiring about classroom space and students, and cross-tabulating the results against actual enrollment rolls to check for accuracy.[92] The interns' work revealed that many district superintendents, possibly seeking enhanced revenues for the upper grades, had egregiously overstated capital needs. In January 2001, the organization released the results of its survey documenting that full implementation would require only 169 classrooms at a cost of $16 million – over 400 classrooms and $50 million less than the State Department of Education's estimate.[93] The Chief Financial Officer of the Department verified the revised projections.

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[90] Think New Mexico's "Best Practices" conferences have become annual events; the organization hosted conferences in the Fall of 2001 and 2002.

[91] Rudi Keller, "Kindergarten Programs Expanded," *Albuquerque Journal*, 8/5/00, p. E3.

Tim Walsh, Governor Johnson's Special Assistant, credits TNM's recalculation of capital outlay needs with saving the state tens of million of dollars in projected construction costs. Dee Johnson was more blunt in the appraisal: "If Think New Mexico hadn't taken those interns and done what I think the Board of Education could have easily done if it was that important to them, and found out what they did, we couldn't have (fully implemented the program)."

Assessing Early Results

In August 2001, the New Mexico State Department of Education released the assessment results of the first year of full-day kindergarten in New Mexico.[94] The Department reported that the pre- and post-tests required by law indicated that 94% of FDK students made sufficient gains in acquiring language and early literacy skills to be ready for first grade. Of the 79 schools with full-day programs, the state credited 74 with making sufficient gains to meet the Department's Kindergarten Language Arts Performance Standards. "I am pleased to announce that full-day kindergarten in New Mexico is a resounding success," State Superintendent of Public Instruction Michael Davis exclaimed in a press release. "These first-ever testing results speak to the success of full-day kindergarten in New Mexico and to the impact the program is having on our most challenged children. These children can and do learn with appropriate support for innovative programs."[95]

Senator Sue Wilson, speaking on behalf of Governor Johnson, joined Fred Nathan, State Superintendent Davis, and several legislators, State Board of Education members and DOE staff at a news conference heralding the success of the program.

Based on the first-year assessments and feedback from parents, teachers, and principals, the State DOE identified three critical needs for the continued success of the full-day program:

- **Comprehensive professional development to address essential early literacy and readiness skills.**

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[92] The interns were Kristina Fisher and Amber Garnett.

[93] Mark Hummels, "Think New Mexico Urges Funding for Full-Day Kindergarten," *The Santa Fe New Mexican*, 1/27/01, p. A8; Gilbert Gallegos, "Kindergarten's Next Step," *Albuquerque Tribune*, 2/6/01, p. A1.

[94] "Reading and Literacy in New Mexico: A Report to the Legislative Education Study Committee and New Mexico State Board of Education on Year One Full-Day Kindergarten Implementation." New Mexico State Department of Education, 8/01.

[95] "SDE to Announce Statewide Kindergarten Results, Capital Funds at Thursday News Conference." Press Release from the New Mexico State Department of Education, 8/13/01 and New Mexico State Department of Education. "SDE Announce 94% of Full-Day Kindergarten Students Ready for First Grade, No Programs with Zero Gains." Press Release from the New Mexico State Department of Education, 8/16/01.

- **Helping teachers learn how to use assessment data to effectively guide continuous improvement.**
- **Providing teachers with the skills to meet the specific needs of English language learners.**[96]

The state's media followed with glowing coverage documenting the "exceptional academic growth" experienced by many students and the program's popularity among teachers and parents alike.[97] Even the conservative *Albuquerque Journal* lavished praise. Declaring the assessment results evidence of an "emerging success story," the paper called on the state to speed up the phase-in. "While it won't cure every ill, it's harder now to argue that 9 am to 3:30 pm kindergarten is not progress," the *Journal* said in an editorial. "Our state's leaders should do what they can to build on it."[98]

Given the considerable time pressures, the state did an impressive job in launching the expansion. Upon closer analysis, however, New Mexico's initial assessment data, while promising, do not justify the bold claims of programmatic success. The FDK law specifically required the State DOE to assess the progress of full-day students as measured against accountability benchmarks and standards. The rapid pace of implementation, however, prevented the Department from administering uniform early literacy measures.[99] Instead, the state relied on individual schools selecting and administering their own instruments. The 79 schools – all of which could lose funding for failing to show sufficient academic progress – analyzed their own data and reported the results to the State DOE. The Department assembled a cross-agency team of educators and administrators responsible for analyzing the aggregate information. After examining the 25 different measures and protocols used by the schools, the evaluative team reported that 74% of FDK programs "selected comprehensive research-based assessments, well matched to the developmental of essential literacy skills."[100] In its overall assessment, however, the DOE included the data of questionable validity from the 26% of schools that lacked appropriate measures.

To determine progress, the DOE team attempted to compare the aggregate student gains on the 25 assessment measures against the state's Kindergarten Language Arts Performance Standards. Based on the inconsistent data, the DOE classified schools as making "insufficient," "sufficient" or "more than sufficient" gains to meet the kindergarten standards (No schools demonstrated "negative gain" or "zero gain."). The Department of Education also clearly erred in reporting to policymakers and the public that 94% of FDK students were ready for first grade; the analysis examined aggregate data from schools, not the progress of individual students.

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[96] "Improving Outcomes for Children: The State of Public Education in New Mexico – 2001." New Mexico State Department of Education.

[97] Diana Heil, "Year Of Full-Day Kindergarten Gets Rave Review," *Albuquerque Journal*, 6/17/01, p. 1; Andrea Schoellkopf, "High Marks for Full-Day Kindergarten," *Albuquerque Journal*, 8/4/01.

[98] The Journal's Editorial Board, however, apparently could not resist using the assessment results to take a swipe at Senate Pro Tem Richard Romero. The editorial led with a quote from the Democratic leader questioning the wisdom of appropriating funds for an untested educational initiative. "All-Day Kindergarten is Showing Results," *Albuquerque Journal*, 8/7/01, p. A6.

[99] To date, the state has also not attempted to comprise a comparison group, which would strengthen evaluative efforts.

[100] The most frequently used instruments were the Texas Primary Reading Inventory (TPRI), the Early Prevention of School Failure (EPSS), and the Kindergarten Developmental Progress Report (KDPR). "Reading and Literacy in New Mexico: A Report to the Legislative Education Study Committee and New Mexico State Board of Education on Year One Full-Day Kindergarten Implementation." New Mexico State Department of Education, 8/01.

Sharon Dogruel, the Program Manager for Curriculum, Instruction and Learning Technologies for the New Mexico Department of Education and a co-author of the state's Assessment Report, acknowledged the flaws and inconsistencies in the assessment data the legislation required the Department to collect.[101] She emphasized that none of the five schools classified as failing to meet program standards would have expanded-day funding revoked based on these results. Upgrading the quality and uniformity of the pre- and post-assessments for the 2001-02 school year, the state required all FDK programs to use the New Mexico Reading Assessment, an instrument developed from the state's Language Arts Content Standards and Performance Standards.

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[101] Personal Communication, 8/4/01.

ACHIEVING FULL-DAY KINDERGARTEN: REFLECTIONS ON THE EVOLUTION OF A POLICY INNOVATION

A Window Opens: The Context for Reform

In 2000, New Mexico's policy climate was ripe for educational change. Political scientists refer to "policy windows" as the opportunities that arise when political and economic conditions allow for the joining of a particular solution with an existing problem.[102] Andy Lenderman, a journalist who covered the education beat for *The Albuquerque Tribune*, points to several conditions and factors that made the timing ideal for passage of full-day kindergarten legislation: First, parents in the state, "tired of being dead last in every single education category," were anxious for educational change and improved student outcomes. Second, with a booming economy, the state was "flush," with a significant budgetary surplus from which new programs could be funded. Finally, legislators (who were up for re-election) and the Governor (who endured criticism for vetoing the previous year's budget and various education initiatives) had pledged to do something – anything – to revitalize the state's educational system. Political and economic forces, therefore, converged fortuitously to allow full-day kindergarten, an idea drifting on the political landscape for years, to emerge as a feasible and popular reform strategy on the state's legislative agenda.

When framed as a cost-effective programmatic enhancement that would boost student achievement, full-day kindergarten resonated with politicians eager for the opportunity to demonstrate that they could do something tangible for the state's children and families. "I think what might have occurred to these guys (legislators), is that they have not accomplished a bloody thing," *The New Mexican's* Bill Waters said. "They are going to have to face the voters, have goofed around, watched Johnson veto their efforts. This was a chance to show that they could do some good." With clear support from a broad spectrum of constituencies – and no substantial opposition seeking to kill it – the political appeal of this policy solution became apparent. "It seemed to me everyone was saying that full-day kindergarten was a sure winner," Lenderman said. "It was a simple, concrete thing to do, it gave more time for kids in the classroom, it stimulates the economy, and is a great election issue."

The robust economy may have been an even more significant factor contributing to the success of the policy. Senator Romero acknowledged that even legislators skeptical about the efficacy of an expanded kindergarten day found it hard to oppose the change at a time when the state had surplus funds. Sue Wilson, in fact, credits Governor Johnson's tightfisted fiscal policies and curbing of governmental spending for allowing the state to accrue the surplus that made possible appropriations for the new program. The following year, when the internet-driven economic bubble burst, and states across the country, including New Mexico, suddenly faced gaping deficits, the opportunity for passage (at least in its present form) may have passed. "If we had been in a recession and there wasn't any new money, we probably could not have gotten it through," Nathan conceded. "If we had to force them to cut other programs to pay for it, we might have, but it would have taken a different sort of approach. Timing is a factor, and you have to be a little lucky, and we were that year that the state was flush."

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[102] Fisher-Vanden, K. (1997). "International Policy Instrument Prominence in the Climate Change Debate: A Case Study of the United States". GEA Discussion Paper E-97-06; John Kingdon, (1995). *Agendas, Alternatives, and Public Policies (2nd Edition)*, New York: Harper Collins.

A New, Politically Savvy Organization Takes on the Issue

Contextual factors and the opportunity for policy change never guarantee that a specific policy solution will succeed legislatively.[103] For state policymakers striving to enhance educational outcomes, a myriad of potential reform strategies and educational initiatives compete for legislative support and funding. Would New Mexico have implemented full-day kindergarten if a newly-formed think tank and advocacy organization had not championed the educational reform?

A handful of legislative observers suggest that full-day kindergarten might have come to fruition in 2000 (or possibly in the next couple of years) without TNM's advocacy campaign. The organization's high-profile and tenacious lobbying efforts clearly provoked some antagonism. A number of advocates, educators and administrators, some of whom worked for years to enhance the state's early education and K-12 systems, found it galling to watch a neophyte organization lacking substantial educational expertise receive what they see as undue credit for a policy solution that evolved over years. Detractors note that the legislative process, by its very nature, takes time to get ideas through. Full-day kindergarten, moreover, had been bandied about in Santa Fe long before TNM arrived on the scene. The organization's advocacy, at most, helped to "give one last shove" after many individuals and groups within and outside of government had laid the intellectual, political and legislative groundwork and pushed the issue for years. One Capitol insider stated that a few powerful Democratic legislators actually resisted supporting the policy because of resentment towards Nathan and select TNM Board members, whom they viewed as sanctimonious and self-serving.

Think New Mexico's advocacy was not flawless. Some lobbying approaches clearly did not win over all skeptics. During an early stage of the advocacy campaign, for example, a presentation by Nathan and colleagues before the state's Education Initiatives and Accountability Task Force failed to earn the task force's endorsement of FDK. Think New Mexico's most significant shortcoming, however, may have been its inability to collaborate effectively with experienced educators and early education experts, which resulted in some unintentional errors. Although the organization made a concerted and honest effort to acknowledge the limitations of full-day kindergarten – noting, for example, that some five-year-old children may not be developmentally ready for full-school day classes – in a few instances, the group interpreted research incorrectly or made claims about the benefits of full-day kindergarten that have not been substantiated scientifically. Collaborative partnerships with child development scholars or educational experts might have prevented these errors and provided the organization with a deeper base of knowledge from which it could have possibly helped the state develop more sophisticated assessment strategies and evaluation plans.

The majority of informed legislative observers and political stakeholders, however, contend that TNM's strategic campaign was essential in elevating the reform towards the top of the state's legislative agenda and building the political support and momentum that assured the legislation's passage.

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[103] Thomas Birkland. *After Disaster: Agenda Setting, Public Policy and Focusing Events.* Washington, D.C.: Georgetown University Press.

Some journalists, well-grounded in the contentious machinations of New Mexico politics, find it hard to envision FDK succeeding without TNM's involvement. "They were the entire role," said *The Santa Fe New Mexican's* Bill Waters. "They lobbied from start to finish....They were incredibly persuasive with a governor who is not often persuaded to do that much social good." Columnist Kate Nelson concurred that FDK would not have made it through the legislature or avoided Johnson's veto if TNM had not taken it on as its sole focus: "It wouldn't have passed without a guiding force to ride it," she said succinctly.

J.D. Bullington from the Association for Commerce and Industry said bluntly that full-day kindergarten would not have risen on the state's legislative agenda without Think New Mexico's advocacy. "It wouldn't have gotten far at all," he said. "We weren't going to take the lead on this issue. Supporting, yes. But it wasn't what we take the lead on...We certainly would not have done it, and I don't know any other group that would have stepped up to the plate. It was clearly Think New Mexico that pushed the envelope on this issue."

Sharon Ball wrote the original 1993 Full-Day Kindergarten Task Force recommendations. After watching the concept fail to translate into policy for the better part of a decade, she credits TNM for the legislative victory. "It was one of those things that really needed a champion," she said. "They were out there to champion it. They took what had been done and moved it on." Ball pointed to TNM's recalculation of operational and capital costs as critical in persuading policymakers the state could afford the program; she suspects that the analytical reports were less influential with legislators than the person-to-person contact and lobbying. Acknowledging that timing is everything in politics, she praised the organization for skillfully taking advantage of the fertile political and economic opportunities. "Fred Nathan's genius is the ability to ferret out the issues for when the timing is right," she said. "He understands the formation of public policy....He saw a crack in the window, opened it up, and walked right through."

Senators Nava and Romero, who expressed reservations about FDK for years, attributed the legislative passage, first and foremost, to TNM's advocacy campaign, lobbying and strategic coalition building. "Fred Nathan deserves all the credit in the world," said Romero, who referred to Nathan as "kind of mild-mannered, but tenacious and very smart." "I wish he would have put that kind of energy into improving teacher salaries," he added. Nava noted that high-visibility public relations and media attention had rarely been attached to legislation in the state before the formation of TNM. "Had it not been for Think New Mexico," she said, "(Governor Johnson) never would have signed it. It had nothing to do with legislative advocacy. It had solely to do with the fact we had a lot of media hype, a lot of business support."

Sue Wilson, singled out as a critical player by all observers, deflected credit from herself. She stressed that Think New Mexico's total involvement – from the recalculating of costs to Nathan's informed and relentless lobbying – is the primary reason the legislation passed. Wilson said: "It was just an absolutely single-issue, targeted effort by Fred Nathan. He played the crucial role in getting the votes and identifying the problems and rectifying the problems and being the person behind the scenes, keeping the glue on the issue...While there had been discussions of full-day kindergarten in former years, it never got off the ground. But when you really feel that you are that committed to an issue, you figure out how you can make it happen. This emphasizes how the non-legislative groups really committed to reform can make a difference in state government and the quality of life in their state. Because I promise you, if it had just been the three co-sponsors of this bill, full-day kindergarten would not be in place today."

Most telling, perhaps, are the words of Governor Johnson. After pointing out that full-day kindergarten had been discussed at times throughout his two terms in Santa Fe, he acknowledged reading Think New Mexico's reports and credited the organization with raising the issue on the state's legislative agenda. "Think New Mexico – they brought it up, and the legislature bought it," he said.

A Reluctant Governor Yields

An intriguing question remains: Why did Governor Johnson – who has battled the legislature tenaciously over education funding, who holds records for gubernatorial vetoes, and who expressed disapproval of full-day kindergarten – sign the bill?

Nathan refers to Dee Johnson's support as perhaps the most significant reason for the Governor's approval of the legislation. The First Lady emphasized that the Governor's misgivings related, first and foremost, to cost; once persuaded that the state could afford the kindergarten expansion, his mind opened to the possibility of the reform. She acknowledged personally attempting to convince her husband that FDK would be an efficient and effective use of state revenues. "I think he needed a little shoving," Mrs. Johnson said. "I do. But again, he makes the final decision. He is the numbers guy. He balances the checkbook….I lose many battles with him just because it can't be done money wise. I think it was one of those that was just right on the edge. So, he just needed a little convincing, and the people that were behind it he respected."

Some legislative observers do indeed point to Johnson's respect for the bill's sponsors as influential in his decision. In addition to his obvious rapport with Wilson,[104] the Governor apparently has a fondness for 80-year old Paul Taylor, a man he admires despite their glaring ideological differences. "Johnson mostly signed the bill as an act of graciousness to Paul Taylor," one Capitol insider insisted.

Sue Wilson has remained a close ally of the Governor's. She contends that despite his concerns about the systemic failings of the state's public education system, he ultimately believed that full-day kindergarten would improve student outcomes. The Governor compromised on the legislation – giving up his preference for "voucherizing" kindergarten – because "in the end, he felt that the merits of this bill outweighed the lack of having everything perfect," she said. "Many times in legislation, you have to realize that you are never going to get 100%, you are going to get 80%, and you weigh out."

Most informed political observers and legislative insiders contend that the visibility of the advocacy campaign, the popular support for the proposal, the lingering pressures to implement a tangible educational reform, and, in particular, the lobbying of influential stakeholders (particularly those in the business community) all coalesced to force the Governor's hand.

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[104] Wilson and Johnson, both fitness buffs, once engaged in a highly publicized push-up challenge.

Sharon Ball, who continues to closely monitor education policy in the state, contends that Johnson signed the bill "because the right people buttonholed him to do it – the business community, those are his people." Offering a similar rationale, Senator Arthur Smith said, "Quite frankly, I think he got a little fearful and was intimidated" by the business community's endorsement. J.D. Bullington, who lobbied the Governor and his aides on behalf of New Mexico's business leaders, commented on how the pressures might have influenced Johnson's decision-making: "To this day, I am not sure to what extent he thinks how beneficial it will be. But it was clear to him that a lot of people who support him – the business community, Republicans alike – were behind this thing. And I guess he just figured, 'Well, I really need to look at this closer.' And that gave people like Fred Nathan more of an opportunity to sell him on it, more Republicans to sell him on it. In the end, I think his attitude was, 'Well, if this is that important to y'all and this is where you want to spend money, I am not going to stop it.'"

The Governor's Reflections

A year-and-a-half after passage of New Mexico's full-day kindergarten legislation, Governor Johnson reflected on the reform.[105] Although his approval of full-day kindergarten certainly helped him politically – *The Santa Fe New Mexican* referred to it as "perhaps his greatest accomplishment as governor"[106] – he acknowledged, with refreshing candor, his lingering reservations about a bill he had signed and that had become a popular educational policy in the state. "You need to know that I am not necessarily a supporter of all-day kindergarten," Johnson said. "I signed the bill, but I am somebody who believes in school choice and school vouchers and that's the direction that we need to move. I just think we continue to move in the wrong directions with regard to education. I signed it believing that it would make a difference, but it was a distant second to the reform that I would like to see." Johnson underscored that the legislature, by choosing to spend money on an expansion of the kindergarten day, had reduced state educational funds that could go to more meaningful reform.

Johnson and his Education Advisor, Tim Walsh, explained that with momentum for FDK building in the legislature, and a Democratically-controlled legislature refusing to fund his educational proposals, the Governor worked to incorporate elements that would strengthen the bill. They pointed to three provisions essential for the Governor's approval: (1) voluntary participation; (2) a phase-in geared to children with the greatest educational needs; and (3) accountability assessments, standards and benchmarks. "It's hard to accept frontloading something that is already in disarray," Walsh said. "And that's one reason why we looked for some assessment within that program. If that program is going to be implemented, is there accountability? Let's take a look at student achievement, and let's keep it voluntary for districts and for parents. Those points I think helped." Johnson believes that with standardized assessments and accountability provisions, the state ought to be able to determine within a few years whether the expansion has been effective.

Johnson does not attempt to hide his disdain for an educational and political establishment that he firmly believes sidesteps implementing meaningful reform; that full-day kindergarten may do some good, which he does believe, is almost besides the point in a state with hundreds of failing public schools. He contends that the policy – admittedly quite popular with parents – provides educators and policymakers with political cover and a simplistic solution that allows them to avoid confronting the systemic forces that maintain the status quo. "Let's go over here where it is safe," Johnson said sarcastically about the Legislature's focus on kindergarten while failing to fundamentally restructure education for grades 1-12. "Let's lay some seeds that are going to solve that problem long term. Well, no, it's not. It's not." The Governor added: "You see, politically, everybody goes for the popular ground, for the scapegoat ground. Hey, this is a popular thing: 'All day K, it's going to make a difference, we need to pass it, and I have done it, I have done my duty.'"

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[105] Personal Communication. Interview in Governor Johnson's office, New Mexico State Capitol Building, 7/26/01.
[106] "Kindergarten: Governor Can Build His Legacy," *The Santa Fe New Mexican*, 3/24/01, p. A9.

In response to a question about New Mexico's business association's lobbying for full-day kindergarten, the Governor scolded the state's business leaders for pushing for full-day kindergarten while ducking more comprehensive reforms. "I could not chastise the business community more for not getting behind school vouchers, for not bringing business to schools," Johnson said as he laughed with exasperation. "I berate them constantly, coming from that community."

Despite his qualms and frustrations, Governor Johnson, nonetheless, proposed in his budgetary recommendations for Fiscal Year 2001 that the state speed up the phase-in of FDK to all schools in four years instead of five. "Given that it was affordable," Johnson explained, "if we are going to do it, we might as well do it."[107]

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[107] In December 2000, the Legislature's Education Initiatives and Accountability Task Force recommended an even more rapid three-year phase-in. *The Santa Fe New Mexican* later wrote: "During last year's 30-day 'budget session,' our legislators did their state proud, enacting a full-day kindergarten bill; a measure so popular that folks from all over the state are seeking to accelerate its phasing-in process." "As Halftime Nears, Lawmakers Roll Up Their Sleeves," *The Santa Fe New Mexican*, 2/13/01, p. A7. Due to budgetary pressures brought on by the severe economic decline of 2001-02, the state opted to stay with the five-year phase-in.

CONCLUSION:
EFFECTIVE ADVOCACY AS A CATALYST FOR POLICY CHANGE

Within a year-and-a-half of its incorporation, and one year of focusing on a single policy issue, an organization with one full-time director, one part-time assistant director, two college interns and a modest $80,000 budget had spearheaded an advocacy campaign that helped to persuade a reluctant legislature, and an even more reluctant governor, to pass an educational reform that had been repeatedly rejected over seven years. While some observers of New Mexico politics may quibble over the partitioning of credit, few, if any, question the effectiveness of Think New Mexico's advocacy in promoting policy change in the state.

To understand how a small, newly-formed organization influenced state policymaking, it is helpful to analyze what Think New Mexico, in fact, did not do. With its limited resources, TNM did not have the option available to better-funded advocacy organizations of launching a multi-layered, multi-year public education and communications campaign designed to build broad-based coalitions and grassroots support around a legislative reform proposal. Think New Mexico never, for example, hired a field organizer to convene state-wide community-forums, organized parent or professional groups, or generated letters and calls to legislators. The group did not employ public relations mavens or media consultants to conduct opinion polls, run focus groups, or shape distinct messages. And with no communications budget to speak of, the organization did not launch a state-wide media campaign complete with billboards, radio ads, mass mailings, or even a website.

With little substantive educational expertise, TNM also did not conceive of a new and innovative educational policy; its reports, while well-crafted and well-written, did not first propose, or fundamentally re-cast, the need for full-day kindergarten. But Nathan and the organization's Board of Directors read the political milieu astutely and calculated that a strategically mounted free media campaign and legislative push by a nonpartisan organization could generate the political momentum and pressure needed to transform a promising idea into law.

After observing TNM's role in the passage of FDK legislation in 2000, Mike Gladden, the school superintendent credited with first promoting the expanded kindergarten day in New Mexico, commented on the shortcomings of the previous well-intentioned but unsuccessful advocacy efforts. "We worked hard in the early 90s to pass full-day kindergarten legislation," Gladden said. "The first initiative was a grassroots effort by those of us in the field of education. Back then, we thought grassroots was a more valid and positive approach." Despite the best efforts of "reputable educators" armed with research and statistics, Gladden and his colleagues could not generate sufficient backing within the rough-and-tumble world of New Mexico politics. "I learned that you have to have someone with political expertise and political clout and respect to get such an item through," Gladden said.

Political Savvy, Legislative Knowledge, and Influential Connections

Although he had worked in the underbelly of government for years, Nathan has never been a political or legislative powerbroker in the state. "(Nathan) does not have massive popular support," said one journalist. "He is an insider policy wonk, who knows how to work the system, is really smart and does his homework." Within a year after the passage of the FDK legislation, Nathan, in fact, had spoken to Johnson on only one occasion, when he greeted him briefly at one of the Governor's public forums.

Small, non-profit child advocacy organizations typically lack the institutional capacity and infrastructure to lobby effectively for legislation.[108] Nathan compensated for limited resources and minimal grassroots organizational strength by reaching out to where power and influence are concentrated. With keen understanding that effective advocacy must be targeted to individuals, organizations and constituencies that can help to move policy, Nathan accrued influence by establishing connections to prominent stakeholders. He recruited a bipartisan Board of Directors comprised of leading citizens of New Mexico, powerful individuals with political clout and deep contacts in the business community, the media, and the upper reaches of government. And in a state legislature without a large, professional staff and a relatively small state bureaucracy, Nathan and his allies leveraged their connections and forged relationships with influential (and at times quite unlikely) individuals – liberal and conservative legislators, business leaders, lobbyists, journalists and editors, key aides and staff members, the governor's wife – who could inform and influence public attitudes and the policymaking process.

As TNM launched its campaign to establish full-day kindergarten, Nathan derived his credibility from a reputation for trustworthiness and the perception of nonpartisanship. His political effectiveness resulted from a deep knowledge of the legislature and the legislative process, his networking and relationships, and an astute ability to communicate with key decision makers and opinion leaders and to shape the terms of a policy debate.

Policy case studies are increasingly documenting that many of the most successful lobbyists for child and family legislation are not traditional child advocates or experts in child-related domains such as education, child care or child welfare.[109] Instead, successful advocates are individuals with extensive expertise in politics, policy, and strategic coalition building.

According to a national survey of state legislative leaders, state policymakers tend to view child advocates as well-intentioned, but politically ineffective.[110] Legislators, moreover, have little patience or use for advocates who make sanctimonious appeals to do good for children, but lack a sophisticated or nuanced understanding of the political process, and the ability to engage with it.

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[108] See Carol J. DeVita, Rachel Mosher Williams & Nicholas Stengel (2001). "Nonprofit Organizations Engaged in Child Advocacy. *In Who Speaks for America's Children?: The Role of Child Advocates in Public Policy*. Washington, D.C.: The Urban Institute.

[109] Carol J. DeVita, Eric Twombley and Maria Montilla (2002). "Toward Better Child Care Worker Compensation: Advocacy in Three States." Washington, D.C.: The Urban Institute (Center on Nonprofits and Philanthropy).

[110] "State Legislative Leaders: Keys to Effective Legislation for Children and Families" (1995). Centerville, MA: State Legislative Leaders Foundation.

With abundant experience at confronting the political and budgetary realities that state policymakers face, TNM effectively:

- **Defined a problem (inadequate student achievement).**
- **Offered a policy solution (full-day kindergarten).**
- **Built political pressure and momentum (through media coverage and endorsements and the support of influential individuals and constituencies).**
- **Provided policymakers with funding solutions and implementation strategies (recalculating projected costs, identifying funding sources).**
- **Monitored and influenced implementation after passage of the legislation (attending to the selection of schools; offering teacher training opportunities).**

In their lobbying, they never lost sight of the fact that policymaking involves compromise and pragmatic dealmaking. Nathan and his allies pushed political pressure points, compromising at times, while countering legislative impediments without demonizing opponents and eliciting partisan opposition that could thwart the passage of the legislation.[111]

Effective Advocacy within a Citizen Legislature

The National Conference of State Legislatures (NCSL) categorizes New Mexico as one of a cluster of 16 states that have part-time legislators with relatively low pay, a small staff and a high turnover of members.[112] New Mexico, in fact, may have the least professionalized, lowest paid, and least supported "citizen legislators" in the country – the state's legislators receive no salary and no staffing allowance.[113] "We are the only state in the country that's an unpaid legislature," Sue Wilson bemoaned. "We are locked out of our offices in the interim and we have no secretaries in the interim. We work out of our homes….Any preparatory, constituent, planning work is strictly a voluntary thing, which is a problem, and is the reason why a lot of legislators don't put the time that something of this magnitude would take."

As a state-based think tank and advocacy organization, Think New Mexico, in many ways, filled a void endemic to states with underfunded, understaffed citizen legislatures. Nathan personally took on several of the roles performed by professional staffers – from photocopying and speechwriting to legislative briefing and vote counting. "He and his staff do all the work (for the legislators)," Jeanne Manning from the Azalea Foundation, one of TNM's funders, said approvingly. "There was no more work that needed to be done. You just needed to vote."

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[111] It is noteworthy that mounting political and legislative pressures to improve educational outcomes in the state were fueled not by a singular focusing event, but by the consistent and widespread reporting of New Mexico's dismal standing on comparative indicators of educational achievement. The successful FDK campaign underscores that advocates can effectively integrate educational and social indicators into their lobbying efforts to change public understanding and perception of a problem, and to mobilize popular and legislative support behind a specific policy option.

[112] "Categories of State Legislatures: Full-Time / Part-Time, July, 2001" Table provided by the National Conference of State Legislatures (NCSL). The states are: AR, ID, LA, ME, MS, MT, NV, NH, NM, ND, RI, SD, UT, VT, WV, WY. See James King (2000). "Changes in Professionalism in U.S. State Legislatures," *Legislative Studies Quarterly, Vol. 25(2),* May, pp. 327- 343. New Mexico is one of only four states in which legislative professionalism declined from 1963 to 1994. (GA, MA and NH are the others.)

[113] In 2001, New Mexico's legislators did receive a $136 per diem during the legislative session. In contrast, California's full-time professional legislators received an annual salary of $99,000 and staffing allowances of $260,000 and up, depending on the size of the district. "Capitol Office, District Office and Staffing Allowance for 2001. National Conference of State Legislatures (NCSL). Table on the NCSL website (www.ncsl.org).

More importantly, in a state with a limited capacity for in-depth legislative research, TNM's reports and briefings filled a profound need for analytical information. However, unlike most think tanks that seek to inform policy, the organization viewed its research as only one component in a larger strategic plan. TNM's FDK reports, while essential for establishing the organization's credibility and framing the issue in the media, probably did not influence the vast majority of legislators. One national survey documented that most state legislative leaders rely on verbal briefings, rather than reports, for their basic legislative information.[114] "They were reading polls," Cynthia Nava said about her fellow legislators. "I think that is the only thing my colleagues read."

But with few layers of professional staff to serve as gatekeepers, Nathan and his allies had a level of access to key legislators and gubernatorial aides that would be impossible in states with a large, multi-layered legislative bureaucracy. By strategically framing arguments – positioning full-day kindergarten as a cost-effective reform the state could afford to enhance student achievement – TNM garnered support within the legislature (as well as the educational establishment and business community) that assured the legislation's passage.

"If I was looking at the country and wanted to get full-day kindergarten through using our approach," Nathan said, "I would target small states and I would target states with a citizen legislature. They are just more open to an organization like ours."

Can This Advocacy Experience be Adapted to Other States?

Nathan asserts confidently that TNM's full-day kindergarten campaign – as a model of state-based research and advocacy – can be adapted to other states. "I think if we did anything right," he said, "it was aligning ourselves with extraordinary people: risk-taking philanthropists; savvy, tenacious legislators; courageous and enlightened business leaders; and being fortunate that there was just an unusually good crop of reporters and editorial writers who covered this. I think that someone else could do the exact thing if they found the right philanthropists in their state, the right legislative sponsors, and the right business leaders who were willing to stand up and take an enlightened view of the importance of early childhood education. Everything we did is easily replicated."[115]

A burgeoning literature on "policy entrepreneurs" focuses on the rare individuals who possess the skills, charisma, and persistence to shape the terms of policy debates, network effectively in different domains (business, education, politics) and build coalitions.[116] While policy entrepreneurs may ultimately require favorable circumstances to lobby successfully for legislation, they possess the knowledge and instincts to overcome many of the considerable obstacles routinely impeding the movement of policy.[117]

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[114] "State Legislative Leaders: Keys to Effective Legislation for Children and Families" (1995). Centerville, MA: State Legislative Leaders Foundation.

[115] Most foundations avoid public policy grant making, and those that do fund advocacy-related activities frequently place restrictions on the use of funds for direct political activities. While there is currently a debate within philanthropy about the types of legislative advocacy that can be supported within the law, many foundations continue to act within self-defined restrictions. The creation of New Mexico's FDK campaign resulted, in no small part, from small and mid-sized state and regional foundations willing to risk supporting legislative advocacy. See: Weis, H. & Lopez, M. (2000). "New Strategies in Foundation Grantmaking for Children and Youth," *Community Youth Development Journal*, Vol. 1, Winter 2000; "State Legislative Leaders: Keys to Effective Legislation for Children and Families" (1995). Centerville, MA: State Legislative Leaders Foundation.

After immersing himself in the early education literature, Nathan had a sufficient grasp of the research to frame arguments that could shape an emerging FDK policy debate. However, advocates lacking political skills face enormous challenges in engaging in the strategic thinking needed to effect policy change.[118] Nathan acknowledges that his political instincts and legislative skills are less common and more difficult to learn. He, nonetheless, suggests that each state has an ample supply of politically savvy and well-connected individuals to make TNM's advocacy model viable. "The information is out there," he said. "I believe in every state there are at least 5 to 10 people who are either legislative staffers, or who work for the governor or attorney general or somebody else, who know their way around the legislature and have contacts at the governor's office. Non-profit organizations in every other state have access to greater charitable dollars than we do in New Mexico and could create the same type of organization as Think New Mexico, only with more staff and more funding."

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[116] Schneider, M., Teske, P. & Mintrom, M. (1995). *Public Entrepreneurs: Agents for Change in American Government.* Princeton, N.J: Princeton University Press; Michael Mintrom (2000). *Policy Entrepreneurs and School Choice.* Washington, D.C.: Georgetown University Press.; John Kingdon (1995). *Agendas, Alternatives, and Public Policies (2nd Edition),* New York: Harper Collins.

[117] *Ibid.*

[118] Mintrom, M. (2001). "Achieving Quality Early Childhood Education For All: Insights From The Policy Innovation Diffusion Research." New York: Foundation for Child Development (Working Paper Series).

LESSONS FOR OTHER STATES

On many dimensions – from its demographic composition to its political culture and legislative structure – New Mexico differs from much of the country. Profound variations in state contexts make it hard to predict what advocacy strategies will work effectively across the country; many states and cities will require highly targeted, locally-adapted approaches. While far from a universal blueprint for state-level education policy reform, the advocacy campaign for FDK in New Mexico nonetheless offers lessons that can inform child advocacy and policymaking in other states:

Lessons Learned: Five Elements of Effective Legislative Advocacy

1) **Successful advocacy campaigns – at least in states without a large, professionally staffed legislature – may not require substantial resources or the support of broad coalitions.** Proponents of progressive social policies have called for the widespread mobilization of parents and communities as the most effective and lasting strategy for advocating on behalf of children.[119] With its limited resources and staff, Think New Mexico did not derive its effectiveness from grassroots organizational strength – the power of reaching and representing broad coalitions and constituencies. For some policy proposals that do not elicit powerful political opposition, the active endorsement and involvement of a limited number of influential, well-connected stakeholders and opinion leaders can compensate for limited organizational resources. As TNM demonstrated through strategic coalition building and "insider politics," under favorable economic and political conditions, small advocacy organizations can inform and influence state policymaking.

Strategic use of the free media can build public support and legislative momentum. Lacking the resources to launch a comprehensive strategic communications and public education campaign, TNM was forced to rely on free media to (1) educate the public and policymakers about the need for full-day kindergarten, and (2) generate public support, political pressure and legislative momentum. By cultivating relationships with reporters and editors and continuously feeding them information, FDK supporters developed a conduit through which they could communicate directly to the public and policymakers. Through press conferences, op-ed articles, and numerous interviews for print, radio and television, TNM built awareness of the issue and elevated FDK toward the top of the state's legislative agenda. As coverage intensified, reporters repeatedly turned to Nathan as the singular expert for comments on all legislative and political developments. By using the media to set and influence a legislative agenda, to target messages to critical audiences and constituencies, and ultimately to build political pressure and momentum, TNM illustrated that an advocacy organization (at least in a less populous state) can harness the free media to accomplish key communication objectives.

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[119] Doug Imig (2001). "Mobilizing Parents and Communities for Children." In C. De Vita and R. Mosher-Williams (Eds)., *Who Speaks for America's Children?: The Role of Child Advocates in Public Policy*. Washington, D.C.: The Urban Institute.

2) **Child and family advocacy organizations should strive for bipartisan, issue-driven alliances and support.** The overwhelming majority of state legislative leaders view child advocates as partisans promoting a liberal, Democratic agenda.[120] Well-grounded in the limitations of partisanship, Nathan could envision both the credibility and influence that might ensue from a truly nonpartisan organization, especially in a state with polarized political divisions. By developing a Board of Directors comprised of prominent Democrats, Republicans and Independents, and collaborating with allies from both parties, TNM could legitimately be perceived as pursuing only the agenda of improving the state, not championing the interests and issues of a particular party. Further, although early education reforms such as full-day kindergarten are often labeled as a traditionally Democratic or liberal issue, the legislation ultimately succeeded because of the active lobbying, commitment, support and approval of many Republicans and highly conservative business leaders. Advocates should not lose sight of a basic reality: many children's issues cut across ideology, and politicians with divergent political priorities may endorse the same policy option, even if for different political or philosophical reasons. Instead of merely paying lip-service to bipartisanship or nonpartisanship, without sacrificing core principles, child advocates should make a concerted effort to reach out to potential supporters and allies across the political and ideological spectrum.

3) **Advocates should provide policymakers with funding solutions and implementation strategies.** During seven years and several failed proposals, concerns about financing remained the major obstacle to an expansion of kindergarten. Think New Mexico determined that the viability of full-day kindergarten depended upon persuading key policymakers that the state could afford the reform. The organization laid forth a specific plan to finance the implementation of the program by (1) identifying inflated estimates of programmatic cost, (2) indicating potential savings that might result from an expanded school day, (3) highlighting non-essential state expenditures, and (4) proposing a five-year-phase-in period that would distribute costs.

   Legislators frequently express deep frustration with advocates who call for the funding of costly projects and reforms, but avoid involvement in budget-making processes.[121] New Mexico's establishment of FDK demonstrates that by providing policymakers with realistic funding strategies, advocates can enhance the chances that their legislative proposals will succeed.

4) **Advocates should seek the endorsement and active involvement of leaders in the state's business community.** While it is difficult to specify from a single case study what factors ultimately accounted for New Mexico's establishment of full-day kindergarten, all informed observers concur that the endorsement and lobbying of the state's business community contributed significantly to the passage of the FDK legislation. Although political and economic contexts vary enormously across states, business associations in all regions share the common "pro-business" goal of developing an educated workforce. Well aware that high-ranking business executives have unparalleled power, influence and access to legislators, in recent years a number of reformers have urged child advocates to integrate business leaders into advocacy coalitions.[122] Advocates must grasp a fundamental political reality: A well-timed call from a prominent CEO

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[120] "State Legislative Leaders: Keys to Effective Legislation for Children and Families." (1995) Centerville, MA: State Legislative Leaders Foundation:.

[121] *Ibid.*

[122] Margaret Blood & Melissa Ludtke, (2000). "Business Leaders as Legislative Advocates for Children: A Case Study from Boston." New York: Foundation for Child Development (Working Paper Series).

can be more influential than thousands of signatures on a petition. Endorsements from "non-traditional" advocates with fiscal credibility can also re-cast the ideological dimensions of an issue, neutralizing the capacity of opponents to attack a proposed policy as a wasteful and ineffective liberal programmatic solution.

5) **Advocates should select legislative sponsors strategically.** The party affiliation, reputation, connections, commitment and persuasive skills of legislative sponsors can matter profoundly in determining whether a specific legislative bill succeeds. All too often, however, advocates select familiar legislative allies to sponsor their chosen policy proposals. Nathan understood the political limitations and liabilities of relying on the usual suspects to say and do the usual things. Rather than targeting legislators with a long history of advocacy on behalf of children or a well-earned reputation for educational expertise, TNM intentionally approached two unlikely sponsors – a moderate Republican and a moderate Democrat – whose involvement would appeal to individuals and constituencies less likely to support the proposal. Bipartisan sponsorship by legislators known for fiscal responsibility also shielded the proposed kindergarten expansion from potentially destructive charges of free-spending liberalism.

Five Lessons Learned: Full-Day Kindergarten as an Education Reform

At a time when educators, advocates and policymakers continue to search for and debate strategies to enhance children's early learning opportunities, nearly half of the nation's five-year-olds attend part-day kindergarten classes. For states considering an expansion of kindergarten as a reform to improve children's readiness for school, the following lessons emerged from New Mexico:

1) **Full-day kindergarten can be a popular state-level policy option to enhance early education.** In contrast to opinion polls from select states that suggest that the public does not view full-day kindergarten as a priority or a desirable educational change,[123] in New Mexico the issue evolved into a proposal that had an almost intrinsic educational and political appeal. Extending the kindergarten day strikes most parents, educators, business leaders and policymakers as a logical, cost-effective and educationally meaningful way to enhance children's classroom time and learning opportunities. Many legislators – and possibly the governor – refused to stand in the way of a policy supported by a broad array of constituencies. Given the increasing evidence of the educational benefits of full-day kindergarten classrooms[124] and the sweeping implementation of high-stakes testing and accountability requirements in grades K-3, for states concerned about educational achievement in general, or early learning and early literacy in particular, an expansion of the kindergarten school day may constitute an effective reform strategy fraught with minimal political risk.

Full-Day Kindergarten may be less likely than other early education policies to incur significant political or ideological opposition. Americans have always been ambivalent about the placement of young children (ages 0-4) in out-of-home education and care settings.[125] Attitudes about preschool and child care policies are influenced by a complex interplay of values concerning parental responsibility, family rights and the roles of women. Universal Pre-K initiatives, for example, frequently spark intense ideological opposition from individuals and constituencies that view a substantial state role in early education as an inappropriate governmental intrusion into family life.[126] In recent decades, as there has been a greater acceptance of working mothers and an increased emphasis on the importance of children's early learning, the public has come to support the placement of four- and five-year-olds in educationally enriching out-of-home environments.

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[123] "Communicating the Early Childhood Message" (2001). Paper presented at the National Governors Association (NGA) national conference, Washington DC, 9/10/01. Of course, public opinion has been known to be wrong about the importance or effectiveness of specific educational policies or programs.

[124] Sara Vecchiotti (2001), "Kindergarten: the Overlooked School Year". New York: Foundation for Child Development (Working Paper Series).

Think New Mexico calculated correctly that enhancing kindergarten would be more politically feasible than attempting to expand state-supported preschool. When asked about universal Pre-K, Governor Johnson responded dismissively. "Government is going to be cradle to grave – that's the direction," he said.[127] In states where enduring political obstacles preclude the establishment of a far-reaching pre-k program, full-day kindergarten may be a pragmatic and achievable reform to enhance young children's learning opportunities.

However, full-day kindergarten is likely to compete with other educational policies and priorities. Policymaking, distilled to its essence, entails the distribution of resources. The most enduring obstacles to passage of full-day kindergarten in New Mexico were not legislators hostile to the public schools or ideologically opposed to early education, but policymakers and constituencies supportive of other educational priorities, programs and reforms. With all state-level decision makers operating under tight budgetary constraints, full-day kindergarten competes with other social and educational policy options – pre-kindergarten, increases in teacher salaries, higher education, special education – for legislative support and resources. It is not surprising, therefore, that of the 18 states that fund prekindergarten programs and supplement Head Start, only three (Georgia, North Carolina and Oklahoma) fund and require all school districts to provide full-day kindergarten classes.[128]

Child care and Head Start providers are not likely to oppose an expansion of kindergarten. In many states, particularly in the South, proprietary child care providers constitute a powerful constituency and political lobby that has shaped – and in some cases impeded – the development of state-funded early education initiatives. It is not uncommon for associations representing child care providers to claim that an expansion of public funding and a public role in early education will harm private business interests.[129] State initiatives to fund universal Pre-K have, at times, also provoked the resistance of Head Start administrators and providers fearful of competition for children and resources.[130] Because public schools are broadly viewed as the proper domain for five-year-olds, neither child care nor Head Start providers opposed New Mexico's FDK expansion. By concentrating efforts to enhance early learning largely on improvements to kindergarten, New Mexico sidestepped the destructive turf wars and internecine battles that frequently play out among the diverse providers of child care and preschool programs.[131]

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[125] Barbara Beatty (1995). *Preschool Education in America: The Culture of Young Children from the Colonial Era to the Present*. New Haven: Yale University Press.
Barbara Beatty (2001). "The Politics of Preschool Advocacy: Lessons from Three Pioneering Organizations." *In Who Speaks for America's Children?: The Role of Child Advocates in Public Policy.* Washington, D.C.: The Urban Institute.

[126] See, for example: Robin DeJarnette (2001). "Universal Child Day Care: The Latest Threat to the Family." Article posted on the Family Research Council website, www.frc.org.

[127] Personal Communication. Interview in Governor Johnson's office, New Mexico State Capitol Building, 7/26/01.

[128] Sara Vecchiotti (2001). "Kindergarten the Overlooked School Year." New York: Foundation for Child Development (Working Paper Series); Nancy Cauthen, Jane Knitzer & Carol Ripple (2000). *Map and Track: State Initiatives for Young Children and Families: 2000 Edition.* New York: National Center for Children in Poverty.

2) **Policymakers are more likely to embrace full-day kindergarten when it is framed as enhancing children's educational success.** In recent years, communication experts and social policy analysts have urged child advocates in general, and early education advocates in particular, to become more sophisticated and savvy in their framing of policies.[132] Effective advocacy requires the conceptual and verbal skills to present policies as concordant with broadly held public values, as well as the flexibility to shape distinct arguments that will appeal to diverse constituencies. While it is difficult to pinpoint what arguments had the most resonance with New Mexico citizens and policymakers, FDK supporters stressed first and foremost the educational gains that would be realized by children, not the benefits that would accrue to parents. To shield the proposal and legislation from the taint of disapproving attitudes about child care or maternal labor force participation, advocates downplayed, or avoided discussing, the child care ramifications of the policy. The apparent effectiveness of this framing strategy is consistent with polling data from states across the country that suggest that public support for early child programs increases when they are perceived as having a tangible educational focus.[133]

3) **Full-Day Kindergarten can be funded without a substantial increase in tax revenues.** At a time of budgetary surplus, New Mexico successfully launched the phase-in of universal, full-day kindergarten without raising new tax revenues. Although state budget deficits have reemerged across the nation, given that FDK involves an expansion within an existing and accepted system, most states will have the option of establishing full-day kindergarten without large appropriations for increases in operational costs or capital outlay. Furthermore, as TNM highlighted in its advocacy campaign, the establishment of FDK may also reduce expenditures for transportation, child care, and possibly special education. For states seeking to enhance early learning and early literacy, FDK may be an affordable alternative to costlier early education options, such as universal prekindergarten.

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[129] Carol DeVita, Eric Twombly & Maria Montilla (2002). "Toward Better Child Care Worker Compensation: Advocacy in Three States Case Studies". Washington, D.C.: Urban Institute. In addition, see: "Building Universal Preschool in Partnership with the Private Early Education and Care System: Essential Elements for Partnership Between Public and Private Early Care and Education Systems" (2001). The National Child Care Association (A Policy Paper for Programs, Policymakers and Advocates Prepared by the National Child Care Association, 8/01).

[130] Anthony Raden (1999). "Universal Prekindergarten in Georgia: A Case Study of Georgia's Lottery-Funded Pre-K Program." New York: Foundation for Child Development (Working Paper Series).

[131] In states where a higher percentage of five-year olds attend private child care and/or where stakeholders are more organized, opposition might be more likely to develop.

[132] Susan Bales (1999). "Communicating Early Childhood Education: Using Strategic Frame Analysis to Understand Child Care as a Public Policy." Washington, D.C.: Benton Foundation; Kathleen Sylvester, (2000). "Listening to Families: The Role of Values in Shaping Effective Social Policies". Washington, D.C.: Social Policy Action Network.

[133] See Communication Consortium Media Center, February 2002, "Child Care Polling Analysis." www.earlycare.org.

4) **Full-day kindergarten must be universal and voluntary to attract broad, bipartisan support.** Although New Mexico is initially phasing-in FDK to schools with a high proportion of at-risk children, from its conception the state designed the program to be universal and voluntary. All informed observers concur that the policy generated and sustained popular and political support by (1) respecting parental choice, and (2) providing a universal benefit for low-income and middle-income families. The legislation would not have been passed by the House and Senate – and certainly would not have avoided a gubernatorial veto – if FDK participation had been mandated or limited to select constituencies. Advocates foresee another long-term benefit of universal participation – the involvement of middle-class families that have political clout will prevent the rolling back of support or the diminishing of quality.[134]

5) **Legislation is only the first step; implementation matters.** All too often, advocates move on to a new issue immediately after securing a legislative victory. Following the passage of the legislation, Think New Mexico continued to influence full-day kindergarten by providing specialized training for incoming teachers, monitoring the selection of schools and students, and recalculating inflated projections of capital costs. To assure that legislation is implemented effectively and equitably, advocates must sustain their advocacy (or set up monitoring structures) during program development and policy implementation.[135]

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[134] In Georgia, the first state to implement a universal pre-k program, supporters of universal access see similar benefits of middle-class participation. Anthony Raden (1999). "Universal Prekindergarten in Georgia: A Case Study of Georgia's Lottery-Funded Pre-K Program." New York: Foundation for Child Development (Working Paper Series).

[135] The political scientist Eugene Bardach coined the term "fixers" to refer to individuals like Nathan who work to ensure that legislation is implemented as intended. See Eugene Bardach, (1977). *The Implementation Game: What Happens After a Bill Becomes a Law.* Cambridge: MIT Press.

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